



NORTHERN NATIVE RIGHTS CAMPAIGN

POLAR
PAM
406

POLARPAM

Pam:
325.3: (*41N)
NNRC

Colonial Governments • Pipelines • Natural Resource Exploitation • Racism • Loss of Rights, culture, land • Northern native peoples, the Inuit of the Arctic, Dene of the Mackenzie Valley, the Yukon Indians and other groups, along with their brothers and sisters in the South face relentless erosion of their aboriginal rights by a dominant society...

New Constitutional Arrangements • Self-determination • Indian Act Revisions • Aboriginal Nationhood • Creative proposals for the recognition of rights are to be presented by Northern native people to the people of Canada • Assure that justice be done.

Pam:
325.3: (*41N)
NNRC

37610

INTRODUCTION

by Tony Clarke

In Saskatoon, last September, Project North sponsored a somewhat unique event called the North/South Consultation. From the north came the leaders of the major native organizations, including the Council for Yukon Indians, the Dene Nation, and the Inuit Land Claims Commission. From the south came leaders of Christian communities and public interest groups across the country which have been engaged in activities to support northern native peoples for the recognition of their aboriginal rights in Canada.

For the participants, this consultation occurred in the midst of hope and despair. While the Mackenzie Valley pipeline, which posed a direct threat to the livelihood of the Dene and the Inuit peoples in the NWT, had been stopped, the green light had been given to the construction of the Alaska Highway natural gas pipeline through native land in the Yukon. And while some of the native organizations were beginning serious land claims negotiations with the federal government, other plans for constitutional development in the north and revision of the Indian Act threatened to further erode the aboriginal rights of Northern native peoples.

The issue of political self-determination emerged as the central theme of the consultation. The native leaders emphasized that throughout their long history, the native peoples of the far north had never surrendered their aboriginal rights to the land. The time had come, they declared, to reject the continued rule by colonial governments in the north and to assert their rights as aboriginal peoples to political self-determination in the future development of the north.

As the consultation progressed, the native leaders outlined the concerns of their peoples to establish themselves as "aboriginal nations" in the context of Canada. For the northern native peoples, this meant developing their own political, economic, social and cultural institutions to serve the needs of their people.

Through their land claims negotiations with the federal government, the native peoples attempted to establish these political rights within Canada as a nation state.

For some four and a half days, the participants wrestled with these issues. The consultation concluded with a plan of action, namely to organize a public campaign in which the northern native peoples would present their case to the people of Canada. The purpose of the campaign is two-fold:

- 1) to insert the concerns of the northern native peoples for aboriginal nationhood in the context of the current debate about the constitution and the political future of the country.
- 2) to mobilize public opposition to the Alaska Highway pipeline and other major development projects which constitute a direct violation of aboriginal rights in the north.

This magazine, in large measure, has been designed to facilitate public discussion and debate in this campaign. A variety of articles written by both native and non-native people have been put together here for the purpose of clarifying some of the major issues at stake in the campaign. This is not meant to be a comprehensive survey nor a complete analysis of all the issues. Nevertheless, we hope that these articles will provide useful background information for study and action.

Finally, this campaign comes at a critical moment in the political life of this country. It should be noted that Project North and its sponsoring churches have not taken a stand on the specific proposals for aboriginal nationhood in the north. The native peoples themselves must be the architects of their own plans for the future. Yet, we have firmly supported the right of the native peoples to determine their own political future and to present their case to the people of Canada.

Tony Clark, Chairman of Project North, is the Director of the Social Affairs Office of the Canadian Catholic Conference of Bishops in Ottawa.

Project North is an inter-church project on northern development, formed in 1975 by the major churches of Canada to help them more effectively address the challenges of native land claims and northern development. Its objectives are: 1) to challenge and mobilize the church constituency in the south and to respond to the ethical and moral issues of northern development; and 2) to support the creative activities of native people engaged

in the struggle for land claims and northern development.

Members include the Anglican Church of Canada, the Evangelical Lutheran Church of Canada, the Lutheran Church of America (Canada Section), the Mennonite Central Committee (Canada), the Presbyterian Church in Canada, the Roman Catholic Church, the United Church of Canada, and the Canadian Council of Churches.

Table of Contents

Who's Who and What's Where in Canada — by Neil Unrau. An overview of the native groups in the north who are currently involved in negotiating settlements with the federal government — who they are, who they represent, and the status of negotiations.	p. 4
Map showing traditional lands of the Dene, Inuit and Yukon Indians. With commentary by Rene Lamothe.	p. 8
Council for Yukon Indians: History of Negotiations — by Project North and CYI staff. Progress and current status of CYI's negotiations with the federal government.	p. 9
Inuit Tapirisat of Canada: History of Negotiations — by Ian Creery. Progress and current status of ITC's negotiations with the federal government.	p. 10
Dene Nation: Negotiations for Dene Rights — statement of the Office of the Dene Nation	p. 11
COPE and James Bay Models: No Precedent — Hugh McCullum. An analysis of the two most recent land claims settlements and why other Northern groups reject them as precedents for their own negotiations.	p. 12
Aboriginal Nationhood Meets the Constitution — by Debbie DeLancey. An analysis of the implications of the demand by northern natives for recognition of their nationhood in the context of the current constitutional debate	p. 14
The Drawing Board for Northern Natural Gas — by James Harper. Overview of the large-scale resource development projects which threatened just land claims negotiations — who is behind them, whose interests they will serve.	p. 16
Where Do We Go From Here? — by T.R. Anderson. There are five public policy options facing Canada in dealing with the northern native peoples' demands for recognition of rights — which will we choose?	p. 22
What's a Nice Church Like You Doing in a Fight Like This? — by Bonnie Greene. A history of the churches' involvement in the issues surrounding northern development and native land claims.	p. 24
What Is the Church's Business? — by Dr. Russell Hatton. Powerful interests in the churches are organizing to oppose the church's involvement in social justice issues	p. 25
Self-Determination and the Global Outlook — by Karmel Taylor McCullum. Aboriginal peoples in Brazil and Australia are also engaged in the struggle for recognition of their political rights.	p. 26
Selected Resources	p. 29
Questions for MP's	p. 31

Rec'd: Nov. 30/79
Order No:
Price: Gift
Acc. No: Leni Honsaker.

This publication was produced by Project North as a resource for the Northern Native Rights Campaign. Statements contained herein are designed to strengthen discussion and action and should not be interpreted as expressing policies of any of the sponsoring organizations, the Council for Yukon Indians, the Dene Nation, the Inuit or Project North, unless explicitly stated. For further information contact Project North, 154 Glenrose Ave., Toronto, Ont., M4T 1K8, (416) 481-3574.

WHO'S WHO AND WHAT'S WHERE IN CANADA

by Neil Unrau

Over 40 percent of Canada's land mass is inhabited by people who can trace back a history of thousands of years of survival in their homeland, and who never have ceded their rights to this land to the Canadian government. The government's only effort to acknowledge aboriginal rights had been to sign treaties with native groups, which extinguish these rights. Most northern native groups refuse to sign this kind of a treaty, seeking instead a formal recognition of their aboriginal rights as the foundation of a new relationship with the rest of the country.

Nishga of Northern British Columbia

The story of the Nishga people is a saga of a long and frustrating attempt to get the government to deal justly with the question of aboriginal rights. As far back as the 1860's the Nishga decided they must achieve recognition of their right to their homeland — the beautiful Nass River Valley in northwestern British Columbia — in the form of legal guarantees. Again and again in the following 100 years, the Nishga approached federal and provincial authorities (and the British monarchy), outlining the principles and rights which must be enshrined in a just land settlement. The government refused to listen. Meanwhile, treaties were being negotiated in Ontario and the Prairies based on extinguishment of aboriginal rights and the establishment of small reserves where the native people became wards of the state. This model has always been unacceptable to the Nishga.

By 1969 the legendary Nishga patience was wearing thin. The Nishga Tribal Council, on behalf of over 2000 of their people, instructed their lawyer to take the province of British Columbia to court asking that the courts declare the Nishga had never lost aboriginal title to their traditional tribal territories. The Nishga case rested on the fact that no legislation had ever taken their rights away. No price had ever been agreed upon by the Nishga and the government as compensation for taking the land.

The case lost in the Provincial Court and again in the Appeals Court of B.C. The Nishga continued to fight, and in late 1971

obtained a hearing before the Supreme Court of Canada. Eighteen months later the Supreme Court brought down a split decision, with three judges ruling the Nishga had aboriginal rights, three judges saying they did not. The seventh judge ruled against the Nishga on a technicality. In the face of a strengthened argument for the recognition of rights, the federal government had to begin to listen to the demands of the Native people.

On August 8, 1973, the federal government committed itself to begin negotiating settlement of aboriginal rights in all areas of Canada where treaties had not been signed. However, the B.C. government still refused to sit down and negotiate, claiming that land settlements were only a federal responsibility. Ottawa refused to discuss claims without provincial authorities since Crown lands are vested in their respective provinces.

B.C. Labor Minister Allan Williams and then Indian Affairs Minister Judd Buchanan agreed in January 1976 to begin tripartite negotiations with the Nishga. Since then there has been little progress. The Nishga insist they are being used as a "political football" while federal and provincial negotiators continue to argue over their respective responsibilities.

Dene Nation

The Dene Nation comprises about 11,000 people of the Chipewyan, Dogrib, Slavey, Hare and Loucheux tribes in the Mackenzie Valley of the Northwest Territories (NWT). The Dene have a long history of self-government based on a close and spiritual relationship to the land. Their first contact with the European race was peaceful. The Dene entered the fur trade in the 19th century but their ancestral way of life remained largely intact until the end of the century.

The discovery of gold in the Yukon in 1896 stimulated mineral exploration in the Mackenzie Valley which hastened the signing of Treaty 8 in 1899 covering most of Alberta to the south shore of Great Slave Lake. From then on the Dene faced hardship and disease like never before. Epidemics, changing social patterns, an in

flux of white trappers, traders and prospectors created a desperate situation. Ottawa's only response was to sign Treaty 11, covering all the land north of Great Slave Lake to the treeline, after oil was discovered at Fort Norman in 1920.

The words of the treaties never were explained, signatures were frequently forged and the Dene leaders who signed always insisted that they understood them to be peace and friendship treaties, never land extinguishment treaties. "How," one chief asked, "could we sell our land for \$5 when it is not ours to sell? It belongs to our children and their children." But the \$5-a-head annual treaty money, the government asserted, meant the land had been surrendered. The next 40 years was a procession of indifferent governments, broken promises and unparalleled economic hardship.

It was not until the late 1960's that the Dene began to reassert their way of life and to remind Canada that they would never sell their land. In 1970 the Indian Brotherhood of the Northwest Territories (IBNWT) formed with its major aim to declare the Dene position on their rights to the land. In the next few years the Dene, including status, non-status and Metis grew together with the increasing conviction that if they were to survive as a unique people within Canada they must regain control of their lives and their land, and never again entrust them to outsiders, no matter how sincere their promises might sound.

In 1973 some chiefs applied to the Supreme Court of the NWT for permission to file a caveat (a declaration of prior interest in the land) on 450,000 square miles of the Mackenzie District which, if granted, would prevent any transfer of land without Dene permission. Six months of hearings, held in communities all over the river valley, resulted in a landmark decision when Judge Morrow ruled that the indigenous people were, in fact, the owners of the land under the concept of aboriginal rights and that the treaties never extinguished their title.

Meanwhile the Dene met in a series of large assemblies to discuss the direction of their struggle. The first assembly, held in 1974, resulted in the demand that the federal government formally recognize aboriginal title to the 450,000 square miles. This was followed by a long and difficult struggle which included the adoption in the now-famous Dene Declaration at an assembly held July 1975, a painful process of re-organization within the IBNWT, and a strong and effective representation of the Dene position — no major development until land claims are settled and implemented — before the Berger Inquiry studying the feasibility of the Mackenzie Valley Pipeline. The impressive array of internationally-known witnesses and the heart-felt testimony of the Dene communities convinced Judge Berger that Dene claims must be dealt with before any pipeline construction in the Mackenzie Valley.

Dene discussions were jeopardized when the federal government cut off funds for the October 1976 General Assembly. Emergency funds for this historic assembly were provided by the Anglican and Roman Catholic Churches. A proposed Agreement-in-Principle supported by over 2000 pages of research, was approved by the assembly and taken to Ottawa two weeks later for presentation to the Minister of Indian and Northern Affairs.

The federal government never responded directly to Dene proposals for self-determination. The Prime Minister chose in August, 1977, to prepare a paper on the constitutional development of the NWT, rejecting Dene concepts of self-government, and to set up an inquiry under the Hon. C.M. Drury to study the political development of the NWT. The Dene rejected this attempt to separate political development from the land claim negotiations and refused to participate in the inquiry.

In 1978, IBNWT officially changed its name to Dene Nation and opened up membership for all "registered Dene" — status, non-status and Metis of Dene ancestry. The action was a direct repudiation of the artificial boundaries imposed by the Indian Act and enforced by the Department of Indian Affairs.

Indian Affairs has consistently refused to accept the Dene Nation as representative of all Dene communities of the Mackenzie Valley and encouraged the Metis Association of the NWT (MANWT) — to submit their own land claims proposals, which they did in September 1977. A year later, Indian Affairs Minister Hugh Faulkner announced the suspension of land claims funding for both groups until they came together and produced a single claim. The government is actually withholding money belonging to the native organizations since land claims funding is loaned to the groups from their eventual claims settlements.

Council for Yukon Indians

Of all the native peoples north of 60°, Yukon Indians have suffered the greatest onslaught on their way of life. Social, economic and cultural devastation began with the gold rush at the turn of the century and then, after an all-too-brief period of fur-trading, continued with the building of the Alaska Highway just after World War II. During this time the government "encouraged" them to abandon their nomadic lifestyle and move to permanent settlements along the highway where they could be more easily "administered" by government agencies. Another wave of destruction is expected with the impending construction of the Alaska Highway Pipeline. Although the Indian Act created 16 bands in 1952 — some have since combined — Yukon Indians have never signed a treaty or received any other acknowledgement from Ottawa of their rights as aboriginal peoples.

In the late 1960's respected leaders began to urge their people to seek ownership of the 207,000 square miles of mountains, valleys and plains that make up their traditional homeland. The Yukon Native Brotherhood (YNB) was formed in 1970 to represent status Indians. Two years later, the Yukon Association of Non-status Indians (YANSI) came into being.

In 1973, YNB presented a brief, endorsed by YANSI, to the federal government, serving notice of the intention of Yukon Indians to regain control of their lives and their land. The presentation of the document, **Together Today for Our Children Tomorrow**, marked the first time in recent history that a group of native people formally presented to Ottawa a statement of their aboriginal rights, a definition of what they felt it was to be Indian and a claim to their traditional homeland. Native leaders insisted that a just land claims settlement in the Yukon must be based on traditional beliefs of land ownership and must provide Indian people the right to manage their own affairs.

After Prime Minister Trudeau assured the native leaders that their proposal would be taken seriously and would provide the basis for political settlement by negotiation of land claims, Yukon groups formed the Council for Yukon Indians (CYI) to negotiate on behalf of all people of native ancestry in the territory.

Since then CYI has attempted to negotiate with several different government negotiators, but with little success. At first an "adversarial" approach was used. Both sides would present proposals and then seek reaction to it. The process broke down because of federal negotiators' inability to make decisions without constantly checking back with Ottawa. In 1976 and 1977 a co-operative informal planning approach was tried, but also to no avail.

In 1978 CYI decided to return to the adversarial approach. A strategy team met for two months to discuss future political institutions based on traditional structures and presented a comprehensive land claims proposal to the Spring 1978 General Assembly. After intensive debate at the assembly and further revisions in the communities, the proposal was approved in December 1978 at another General Assembly.

* Continued next page



Presentation of ITC's *Nunavut* proposal to Cabinet — February, 1976.

Inuit Claims Commission

The Inuit consist of more than 22,000 people occupying one of the harshest environments on Earth, the huge, barren lands north of Canada's treeline. These people were left almost undisturbed by the dominant southern society. It is only since the end of World War II that the southern greed for northern resources has encroached on the Inuit way of life.

The Inuit Tapirisat of Canada (ITC) was formed in 1971 to protect their language and culture, to have a say in the education of Inuit children and to speak out clearly on the right of Inuit to control their own lives.

The increasing pressures of the late 1960's and early 1970's for large-scale development of non-renewable resources caused concern among the Inuit about what was happening to their land. In 1973 ITC's Land Claims Project was organized in Ottawa and a proposal for settlement of land claims in the NWT developed. The proposal was presented to Prime Minister Trudeau and his full Cabinet in early 1976, but withdrawn a few months later when it became plain that the 32 Inuit communities of the NWT could not understand all the legal terminology and felt the proposal ignored the realities and values of the Inuit.

The decision to withdraw the proposal was a victory for the communities and the young Inuit leaders who perceived that if Inuit were to achieve self-determination, it would never be through a real estate deal developed by legal advisors, but rather through political, economic and cultural self-determination. A whole new approach had to be developed.

The Land Claims Project became a separate entity from ITC, known as the Inuit Land Claims Commission (ILCC), and moved its base of operations from Ottawa to Frobisher Bay. Principles against which the old proposal had been judged in the communities — and found wanting — became the fundamentals in the process of developing a new proposal. The communities wanted clear statements about where their control of the land, political institutions and the economy would lie. Inuit identity in relation to these statements was important, as was the question of

compensation for past and ongoing damage to Inuit land and livelihood.

In December 1977, ILCC presented the federal government with a proposed agreement-in-principle, outlining the basic principles which must be a part of any claims settlement. Since then ILCC has held several negotiating sessions with officials from the Office of Native Claims. As the Dene, they have been under pressure to deal with political rights in a process separate from the land claims negotiations. They continue to insist that political rights cannot be divorced from other aboriginal rights.

The Committee for Original Peoples Entitlement (COPE), representing the Inuit of the Western Arctic, has continued to negotiate on the basis of the original land claims proposal. COPE felt pressured by the oil and gas development on the Mackenzie Delta and the Beaufort Sea and decided to go for a quick land claims settlement. In the fall of 1978 the group signed an agreement-in-principle based on compensation for extinguishment of aboriginal rights. Other northern native groups have rejected this model but fear that it will be used as a precedent for future settlements. Indian Affairs Minister Faulkner stated publicly that other northern organizations shouldn't expect a better deal than COPE.

Labrador Native Groups

Another area which has never been ceded to the Canadian government is the Labrador landmass. Two native groups are seeking recognition of their aboriginal rights to the land — the Naskapi-Montagnais Innu Association (NMIA) and the Labrador Inuit Association (LIA). Native people in Labrador have never been registered and therefore never been considered to have status under the Indian Act. They are administered under various departments of the Newfoundland government and have no direct relationship with the federal Department of Indian Affairs.

NMIA represents the Indian people who traditionally used the vast interior of the Labrador Peninsula. Only recently have the people been concentrated into permanent communities in Labrador and Quebec. The Quebec group was forced to accept the extinguishment of their rights through the James Bay Agreement in 1977. NMIA has been seeking a separate and radically different settlement for Labrador Indians.

In December 1977 NMIA informed the federal government, in a 16-point proposal, that they had never agreed to surrender their rights to their homeland, despite assertions by the Newfoundland government that Labrador native people had no special rights. The native claim was received by the federal government in June 1978 but the government has rejected an NMIA request for a general land freeze as of October 1978 as a gesture of good faith.

The federal government insists that Quebec and Newfoundland must be a party to claims negotiations but the Naskapi and Montagnais have rejected this since provincial presence is based on laws and legal arrangements which do not apply to lands owned by Indian people. NMIA is seeking self-determination through political control of traditional lands. At this point the government has shown little interest in Labrador claims and no negotiating sessions are planned.

LIA represents both Inuit and settlers on the North Labrador Coast. Both groups live off the sea and the land and feel threatened by the pressure of uranium development and oil and gas exploration. LIA was formed in 1974 as an educational, cultural and native rights organization and has been active in improving social services for its constituency.

The Association seeks a claims settlement based on aboriginal title to the land and leading to more "home rule" for Labrador. A complicating factor is the Moravian Land Entitlement by which the Moravian Church was granted 400,000 acres in the early 18th century by colonial authorities to assist in protecting Inuit culture and language. Although controversy exists over whether the land was given in absolute ownership or as a trust, the Church is prepared to support LIA in decisions made during any land claims negotiations.

Land Use Studies — Proof of Ownership

Northern native groups have based their aboriginal rights on the fact that they have occupied their land since time immemorial and continue to use it extensively. The Dene, Inuit, Yukon Indians and Labrador natives have all researched and prepared detailed land use studies, showing that the North is not an empty frontier waiting to be exploited. The land is a home, harvested extensively but carefully maintained for future generations. Development of any part of it will inevitably have repercussions on the economy and health of local native communities.

According to an Inuit hunter from Baker Lake, NWT, "This land is going to belong to our children. We want it to be a good land, and to belong to them....it was really well used by our ancestors. Our ancestors lived on it before anybody else, and we too are going to use it. This land of ours is a good land and it is big, but to us Inuit it is very small. There is not much room. It is our own land, and the animals were our animals. We cannot live anywhere else, we cannot drink any other water. We cannot travel by dog-teams in any other place but our land."

Similar sentiments were echoed by hunters and trappers in other parts of the North. The close ties between the people and the land is shown by the intricate maps of native land use and by the extensive knowledge of the land possessed by the hunters and trappers. Willie MacDonald, a trapper from Fort MacPherson, NWT, was one of the many Dene who expressed deep concern for the land to Justice Berger during his historic northern hearings.

"But, wherever we go in the bush, we always see old signs, from long ago. We see old deadfall places and all this. We know that long before us this country been used lots and long time

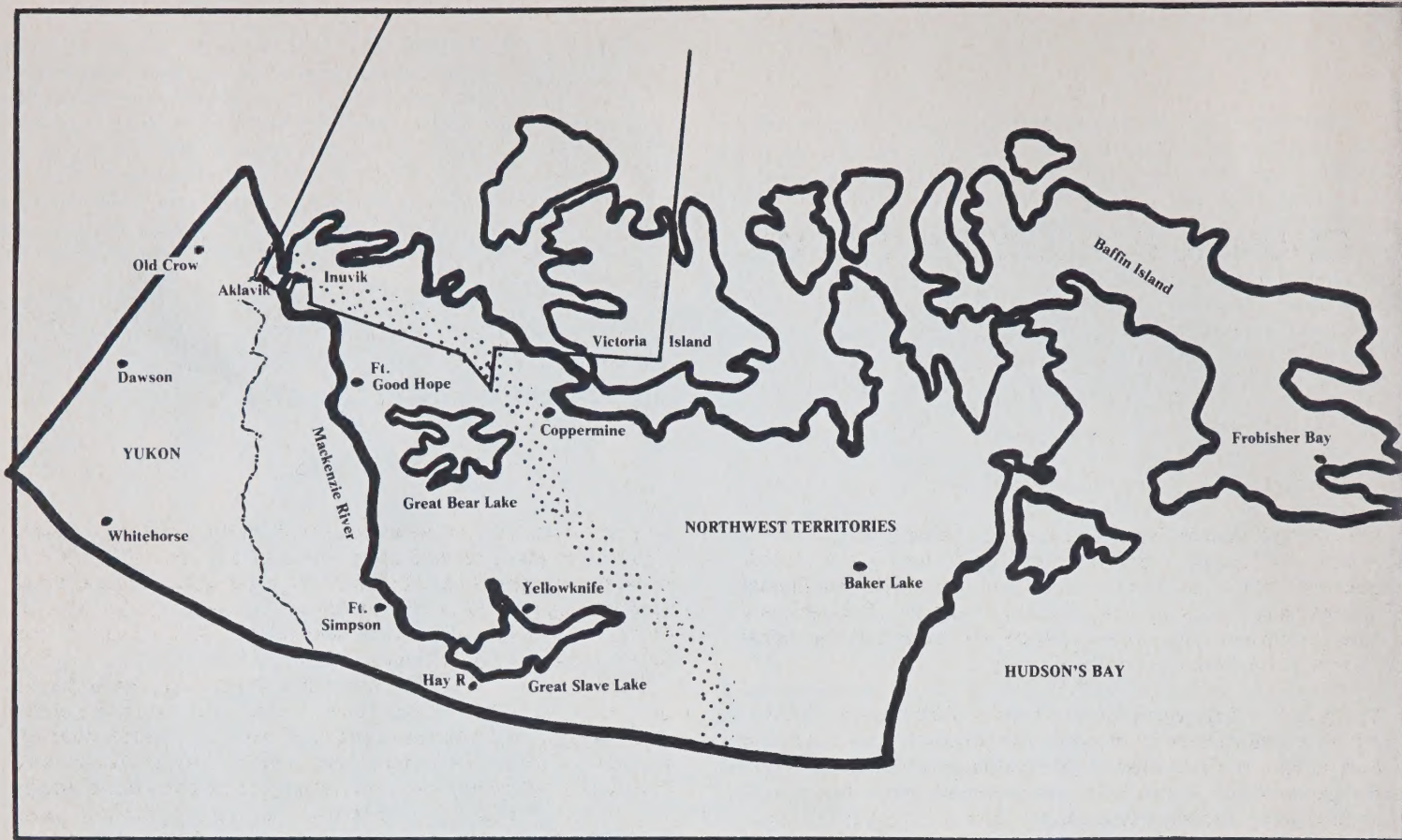
before that. People still using it. I mean the people that were brought up to the life of hunting and trapping. We belong to it, we belong to the land and we look at it like that land is our mother. That's where we're born and that's where we're going to go back. We're going to be part of this land when we die. There's no way we're going to leave it. That's why we think of this land. What else we got? Just land, land is our bank, it's our living, it's everything. Everything we got is this land. What we depend on next year coming is depending on this land. This land is the most precious thing we got."

Land use and occupancy studies from the Yukon, NWT and Labrador prove the truth of these words. The land is there for the people to use and nurture; it is not for sale.

[Neil Unrau is a staff associate with Project North]



Department of Information, GNWT



by Rene LaMothe

From the experiences and perspectives of the aboriginal nations of North America, the boundaries of the maps of Canada and the United States are expressions of colonial rule.

The impact on aboriginal nations results in numerous political organizations representing the same nation group.

For example, the traditional Dene territory covers the western NWT, much of the Yukon and Alaska, the interior of British Columbia and northern Alberta, Saskatchewan and Manitoba.

The traditional Inuit territory covers the eastern NWT, northern Quebec and Labrador.

For purposes of land claims negotiations, the Dene and CYI are using the territorial boundary.




To understand aboriginal territoriality, one must understand and accept the definition that the aboriginal group gives itself. These self definitions stem from the land and/or the sea.

Thus, among the Dene there are Barrenland People, Woodland People, River People, Mountain People, etc. Among the Inuit there are People of the Sea, People of the Deer, etc. It is from this background and self image that aboriginal peoples state: "The Land and the People are One."

Aboriginal territoriality is integral to the above, stems from it and lends to it its reality. Aboriginal territoriality cannot thus be defined or understood from the European experience and historical perceptions of international interaction. Nor can aboriginal territoriality be defined on maps in the European tradition.

In the North American aboriginal tradition, boundaries always overlapped. Many areas were and still are used by two or more national groups.

Rene LaMothe is in charge of land use and historical research for the Dene Nation.

-  = imposed boundary between Dene and Yukon Indians
-  = approx. area of tree-line traditional boundary between Dene and Inuit
-  = boundary of COPE claim area

COUNCIL FOR YUKON INDIANS

History of negotiations

In 1973 the Yukon Indian people presented a statement to Prime Minister Trudeau called **Together Today for Our Children Tomorrow**. The statement was based on their traditional philosophy and Trudeau promised that it would be taken seriously by the government and would provide the basis for a political settlement by negotiations of their claims.

The process of negotiations has been a difficult one. At first, there were two parties involved in the process; the Council for Yukon Indians with two full-time negotiators plus the chairman and legal counsel and the federal government, represented from time-to-time by various negotiators and their support staff. The Yukon territorial administration, which represents the non-Native people in the Yukon, had an observer role and participated on the federal side. Under the Canadian constitution, Indians are the sole responsibility of the Government of Canada.

The role of the Yukon Territory had been to prepare and present through the federal team a number of position papers representing the thinking of the non-Native population, so in some ways there were three positions to be considered. The CYI insisted that since the territorial government was essentially controlled by Ottawa and since Native people and their land are under the jurisdiction of Ottawa that the territorial position was for information only.

Actual negotiations were difficult to get going back in 1973 because the federal negotiating team of seven people, came from the federal civil service. It was difficult to co-ordinate meetings and there were few open responses to what was going on. It was what is sometimes referred to as the "adversary approach." This involved CYI setting its proposal, **Together Today for Our Children Tomorrow**, on the table and trying to get the government to say what it thought of it.

This was impossible because the chief Federal negotiator at that time, Robert Hutchinson of Victoria, B.C. was told to negotiate, but wasn't given the authority to do anything unless he got clearance from Ottawa.

In March, 1975, the federal government came to Whitehorse, with an offer of settlement that had been developed in Ottawa, not at the negotiating table, which the Indian Affairs Minister, Judd Buchanan, wanted to make public immediately. The CYI refused since it violated the negotiating process.

In October, 1975, the CYI demanded action and Buchanan agreed to a one-man negotiating team. He appointed Digby Hunt, an assistant deputy minister of Northern Development, and the CYI set March 31, 1976 as the target date for reaching an agreement-in-principle.

The government prepared a working paper in December 1975 and the CYI responded. Meanwhile, the territorial council had been pareing its own form of settlement, and a position paper, **Meaningful Government for the Yukon**. This paper had province-hood in mind, but also outlined recommendations for

more representation of the Indian people in the territorial council.

However, Hunt revised his position in January 1976 without answering questions like eligibility and taxation that were stalling negotiations. The Federal negotiator was forced to go back to Ottawa for more direction. Meanwhile, CYI rejected the Government position of January 1976.

In May, 1976, the CYI suspended negotiations in order to reorganize, to go back into the communities to inform them of the proceedings and to take new direction from them. Subsequently, Warren Allmand, was named Minister of Indian Affairs and Northern Development and Dr. Naysmith named new chief federal negotiator, and the "co-operative planning approach" was adopted. The basic starting point of these informal discussions was to discuss the philosophy and goals of the Indian people in federal, territorial and native round-table discussions. This process was later abandoned for a return to the two party (Federal-CYI) across-the-table formal negotiations.

Under Faulkner, claims talks went slowly. CYI then withdrew from the bargaining table shortly before the federal government seconded Naysmith to the Northern Pipeline Agency last September. CYI then introduced constitutional changes to its claim at their December 1978 assembly. Their new comprehensive land claims package was presented to Faulkner on January 20, 1979.

This position paper has as its theme, the strengthening and entrenchment of aboriginal rights in the Yukon. The stated principles are the preservation of the Yukon Indian culture, language and traditional livelihoods of hunting, fishing and trapping. A different political structure will be established to preserve these areas from encroachment. The Yukon Indians shall have powers of legislation and have control of those lands owned by them through a two tiered government structure. This will be composed of band councils at the local level and a central Indian government at the territorial level. The latter will be composed of 12 representatives, one from each community, to assist the bands in administration and legislation in common areas.

On non-Indian lands, management will be a joint responsibility of the Yukon Land Use Planning Commission which will guarantee that developments on non-Indian land do not infringe or jeopardize Indian lands.

The Yukon Indians will also have control over the choice of social and cultural programs and will be responsible for their development and delivery. But the federal government will be responsible for funding those social programs as a compensation for past cultural and social damages suffered.

Through this proposal the people of Old Crow in the northern Yukon will have direct control and management of the Porcupine Caribou herd. The Porcupine River basin would be withdrawn from development and held by Old Crow residents in fee simple absolute. They would have full latitude to consult with interested native parties in the NWT and Alaska to determine priorities for management of the caribou herd.

In 1899 and 1921, representatives of the Dene Nation negotiated agreements with the Government of Canada which recognized our status as a nation and protected and guaranteed our national rights for the future.

Since that time, the Dene have seen the rights we believed we had secured in the treaties being rapidly undermined, to the point where today the federal government denies their existence and our existence as a people — as a nation.

We now view this period of our history as the colonial period.

As we recognized what was happening, we began to struggle to reassert our national rights and to negotiate a new relationship with the people of Canada.

Thus, for at least the last fifty years, negotiations on what aboriginal rights are, and how we want our rights recognized, have been happening. However, the federal government continues to attempt to put the whole negotiation process of our rights into a very narrow framework and perspective. Specifically they want to define negotiations from their point of view, and force the Dene to negotiate within this narrow framework. Thus, they coerce us and others to believe that negotiations only happen when we sit down at a table with their representatives.

The position of the present Minister of Indian Affairs, Hugh Faulkner, is that negotiations between the Government of Canada and the Dene have never occurred. This Minister is even trying to deny the significant and progressive negotiations (as defined by them) we had with Warren Allmand, the past Minister of Indian Affairs. This despite Allmand on several occasions publicly stating that he accepted some of the points in our proposed Agreement-in-Principle, presented to the government in October 1976; and privately stating agreement with many more, during our negotiation meetings.

To the Dene, negotiations involves a lot more than merely sitting at the table with the Government — especially when we know that they have no intention of agreeing to our position. Any type of action that will lead to further understanding and recognition of our rights is a form of negotiations to the Dene.

Thus when we organized and worked to stop the Mackenzie Valley pipeline — that was negotiations. In 1977 and 1978 when representatives of the Dene travelled over to Europe to present our case to people over there — that was negotiations. That was part of political pressure to get the Canadian government into a situation whereby they will be more apt to agree to our position.

The different boycotts of the treaties, starting with the one in 1920 and all the others up to 1978, were all a form of negotiations.

Even if one were to accept partially the government's narrow definition of what negotiations are, then surely we have been negotiating with every Minister of Indian Affairs since the time of Jean Chretien.

The reason for the Government not admitting to even this type of negotiations is self-evident — they refuse to accept and respect the right of the Dene to define our own interest. Furthermore, it serves their interests to discredit the Dene by misrepresenting our position and asserting that negotiations are stalled because of the unreasonableness of the Dene.

To the Dene, negotiation describes a situation where two or more parties come together to represent their interest to each other in the hope of reaching an agreement which will benefit both of them. The federal government has always attempted to negate real negotiation between the Dene and themselves. All relationships are either negotiated or exploitative. The government continues to try to impose exploitative relationships wherein they define the terms (who decides what and for whom) of the relationship.

What the Dene are seeking is a negotiated relationship where negotiation takes place between free and responsible interests. For this to happen between the Dene and the Federal Government, the government must recognize and respect the right of the Dene to define our own interests as seen by ourselves.

DENE NATION

Negotiations for Dene rights

History of negotiations

by Ian Creery

The struggle of the Inuit to survive has been a long one. For countless generations they have made their lives in the Arctic, living from hunting and trapping. However, since the move into organized communities in the 1950's and 1960's, the nature of their struggle has changed — they are now fighting for their rights and for the just settlement of outstanding claims against the government of Canada.

The Inuit began organizing in 1971 to protect their rights, by forming the Inuit Tapirisat of Canada. The organization spoke up on behalf of Inuit, and soon set up a land claims project to propose ways of settling the outstanding claims of the Inuit.

A proposed Agreement-in-Principle was put together, and was eventually approved by a General Assembly of Inuit at Pond Inlet, NWT, in October 1975. It dealt mainly with land ownership, compensation, also set up a system of corporations to develop Inuit business interests. It was presented to the Federal Government in February 1976.

In the months that followed, the land claims staff of ITC attempted to explain the proposal to Inuit in NWT communities. It soon became apparent that the proposal was hard to understand, and in fact wasn't what Inuit wanted out of a settlement. Over the summer of 1976, the possibility of withdrawing the proposal was discussed, and the decision to do so was taken by the ITC Board of Directors in September 1976.

At this point, COPE, representing the western Arctic Inuvialuit, decided that they couldn't agree with this, and instead went ahead with the development of their own proposal based on the one that had just been withdrawn.

Through the following winter, the land claims staff worked in communities getting ideas of Inuit on what a new proposal should contain. These were all put together at a meeting of land claims people in June 1977. The proposal emphasized the right of Inuit to political self-determination, the right to ownership of their traditional lands and water, and compensation for use of Inuit land by non-Inuit. It demanded the setting up of a new territory north of the tree-line, and also insisted on constitutional recognition of the Inuit.

The new proposal was then circulated to communities, and Inuit analysed it and prepared any changes to it they thought should be made. At a General Assembly in Frobisher Bay in October 1977, it was debated, and minor changes made. It was then presented to the federal government in December 1977. After looking at it for some months, the government appointed a negotiator and agreed to start negotiations in May 1978.

Negotiations started off poorly. First of all, the appointment of a Special Representative for Constitutional Development for the NWT, Bud Drury, was not received well at all by the Inuit. The government had agreed to negotiate comprehensive claims through a single process, and their insistence that the political elements of the Inuit proposal be dealt with by Mr. Drury contradicted this. The Inuit saw that they would have no control over the Drury process — would only be able to make representations to him and wouldn't be able to influence his decision through negotiations. They insisted that political elements of the proposal be dealt with alongside all others, in fact should be considered first of all in negotiations. The government refused to do this and to this date has not changed its position.

The Inuit also wanted all development activity suspended during negotiations, as far as the signing of a final agreement. They could, and still can, see their lands being gradually taken over as negotiations got underway, and considered this to undermine their claim — certainly bad faith on the part of the government. The government has also so far refused to give ground at all on this.

During the first three meetings, the government did not actually respond to the proposal, but requested clarification to areas not immediately concerned with negotiations. This produced no progress and led to great frustration on the part of the Inuit negotiators. However, the government finally agreed to respond in kind to the Inuit proposals which produced the most productive negotiating session of them all, in January 1979.

Ian Creery is a former staff member of the Inuit Land Claims Commission.

Editor's Note:

On February 10, 1979, ITC announced major changes to land claims negotiations for the **Nunavut** proposal. ITC's Board of Directors voted to abolish the Inuit Land Claims Commission and resume full control of the negotiations with the Federal Government.

The Land Claims Commission was created in 1977, after the withdrawal of the **Nunavut** proposal. It consisted of an elected body of nine Commissioners, with an office and staff located in Frobisher Bay. The Commission was responsible for developing and negotiating a land settlement agreement for the eastern and central Arctic Inuit.

Eric Tagoona, President of ITC, told the press, "The Board Members and I agreed that not enough progress has been made and strong leadership is required to restore the confidence of the Inuit we represent....we feel it's about time to take a more positive approach and reach a settlement that will meet the aspirations of the Inuit We plan to begin immediate, intensified negotiations until an agreement-in-principle is signed that will form the basis of a lasting and satisfactory settlement. We plan to meet with the government for lengthy intervals during the next couple of months or so, and I am confident an agreement-in-principle will be signed this summer."

COPE AND JAMES BAY MODELS

No precedent

by Hugh McCullum

When Indian Affairs Minister Hugh Faulkner announced that the agreement between the Inuvialuit of the Western Arctic and Canada was the basis for all future northern Native land settlements, it had all the earmarks of an ultimatum.

Like its big sister, the James Bay Agreement, the COPE (Committee for Original Peoples' Entitlement) settlement is a surrender of land and aboriginal rights to the Federal Government.

Faulkner's announcement came as no surprise to leaders of the Inuit, Dene and Yukon land claims organizations, but his triumphant tone was a direct and serious violation of Ottawa's policy of negotiation rather than imposition.

Surrounded by lieutenants, Faulkner spelled out the terms of surrender and made it clear that he, through the Office of Native Claims, was establishing a pattern of dealing with Native people as an alien and enemy population.

While the battlefield is now the *in camera* conference room, the procedures have all the characteristics of a military campaign, except that the outcome is never in doubt — at least in Faulkner's mind.

Secrecy, manipulation of funds, threats of legislation and bureaucratic stalling result in an insidious, but nonetheless carefully orchestrated, exhaustion that allows the Federal Govt. to achieve extinguishment of title, clear access to resource-rich lands and a passive Native population.

Leaders are discredited, the people grow weary and bored with the apparent lack of progress and carrots in the form of relatively large amounts of money are dangled before economically deprived people.

Any discussion of political control or native government is demolished with charges of separatism. The domino theory, first identified by northern native organizations in 1975 during the James Bay negotiations, still pertains.

Simply put, it is to knock over the weaker, more threatened groups slowly, carefully and deliberately isolating the strong organizations until sufficient precedents are established and the people worn down until the government can have its way.

One cannot help but question the integrity of the lawyers and advisors who counsel such agreements, and their close ties to the Liberal party. More insidious, however, is the facade presented of negotiating with Native people as equals, while the federal government — legally and morally the trustee of aboriginal people in Canada — views the process as an exercise in defeat.

While more sophisticated in their outward appearances, the land claims negotiations in the two modern-day treaties — COPE and James Bay — have startling similarities to the older treaties. The deck is as stacked today against the original people as it was 100 years ago. Small wonder that the Yukon, Dene and Inuit have rejected these agreements as "beads and blankets" treaties which must never be considered as precedents.

More in sorrow than in anger, the Indian and Inuit people of Canada sympathize with their sisters and brothers in Northern Quebec and the Western Arctic who faced enormous odds in

meeting head-on an intransigent and manipulative Federal negotiating process.

There are few charges of "sell-out." Native people do not condemn the COPE and James Bay negotiators. They simply and unequivocally refuse to recognize these agreements as models or precedents.

"I don't think they (the Inuvialuit) have gained anything. The multi-national oil companies gained it all," John Amagoalik, Director of the Inuit Land Claims Commission in the NWT, said when the Agreement-in-Principle was announced between COPE and Ottawa.

Georges Erasmus, President of the Dene Nation, described the COPE proposal as "totally unacceptable" because it "refers only to land rights and makes no mention of the fundamental political rights that all aboriginal nations possess."

A brief examination of the two agreements bears out their similarities:

James Bay

On October 31, 1977, the federal government proclaimed as law Bill C-9 which brought into force the James Bay and Northern Quebec Agreement. On the same day the government of Quebec proclaimed Bill 32, the corresponding provincial act.

Those two proclamations culminated six years of struggle by 6,500 Cree and 4,200 Inuit who had, until 1971, believed they owned and used 379,400 square miles of Northern Quebec above the 55th parallel.

From the day Robert Bourassa, then premier of Quebec, announced his "Project of the Century", the James Bay hydro-electric project, until the bills were proclaimed, the Cree and Inuit fought an unequal and losing battle to retain control and ownership of their land.

The project which had escalated from \$6 billion in 1972 to more than \$16 billion in 1978, placed the native people under heavy pressure from the outset. Charlie Watt, outspoken president of the Northern Quebec Inuit Association, always said his people were negotiating "with a gun to our heads."

The Cree and Inuit fought for two years in the courts and for eight heady days in 1973, actually halted, by legal injunction, the "Project of a Century." But then reality prevailed and the Quebec Court of Appeals overturned the injunction and construction resumed.

An Agreement-in-Principle was hastily produced by Ottawa and Quebec. The Cree and Inuit, exhausted by their lengthy court battles and aware that nothing could stop the hydro development, reluctantly agreed to negotiate. By November 11, 1975, they signed — after one year of one-sided and unfair negotiations in Montreal — The James Bay Agreement. On the one side were the bewildered, worn out and disillusioned Natives, on the other the limitless resources of Ottawa, Quebec City and three huge Crown corporations.

The agreement is enormously complicated, incomprehensible to anyone but highly trained lawyers. In essence it gave the Cree of eight Northern communities 2,095 square miles of land in absolute ownership with Quebec retaining all sub-surface rights. The Inuit in 14 settlements got 3,250 square miles, also without any mineral rights.

Additionally the two groups retained exclusive hunting, fishing and trapping rights over 25,130 square miles for the Cree and 33,400 square miles for Inuit. Quebec retains title and jurisdiction over these lands.

Compensation totalling \$225,000,000 over 20 years will also be paid to the two groups.

In return the Cree and Inuit surrendered and extinguished forever their ownership and rights of 60 percent of the territory of Quebec.

The agreement allows for protection of traditional hunting, fishing and trapping and some local government, subject always to the good-will of the provincial government of the day.

While there is no question that the Cree and Inuit got the best of a bad deal, the dynamics of the James Bay negotiating process are a warning to all other groups.

The Cree and Inuit were fairly well organized and as deeply committed to their land and way of life as anyone today in the Yukon, B.C., NWT or Labrador. But, ultimately, their negotiators and advisors were exhausted and convinced they could not stop the massive hydro project. They had to make a deal and get out quickly. This they did.

Negotiations in the face of massive projects, whether pipelines, mineral developments or hydro dams, can only result in a victory for the forces of industrial development and defeat for the advocates of human development.

"As far as Indians (and Inuit) in the rest of Canada are concerned, it was a bad deal. Aboriginal rights can't be bought and sold. What Indians in the rest of Canada are worried about is that this will be used as a precedent," a spokesman for the National Indian Brotherhood said in 1977.

The first comprehensive land claims settlement in Canadian history was far from reassuring to the Natives north of 60. And already another "precedent" was in the works.

Committee for Original Peoples' Entitlement [COPE]

In May, 1977, COPE, representing 2,500 Inuvialuit in six communities of the Western Arctic, presented a land claim called **Inuvialuit Nunangat** to the Federal Government. It was a modified version of the rejected **Nunavut** claim of the Inuit Tapirisat of Canada (ITC).

COPE had earlier decided to withdraw from the ITC process for a variety of reasons. The Western Arctic people were concerned that offshore drilling for gas in the Beaufort Sea, exploration in the Mackenzie Delta, the various pipeline proposals and impacts of a steady influx of non-native people into their area would weaken their already fragile case if they further delayed talks with Ottawa.

Their leaders were persuaded that some protection of their hunting, fishing and trapping rights was urgent and essential, and that the political and constitutional demands of the Dene and ITC were unachievable particularly in view of the rigid statements made in 1977 by the Prime Minister when he appointed C.M. Drury as his special representative for Constitutional Development in the NWT.

Eighteen months after **Inuvialuit Nunangat** was presented to the federal government, Faulkner and COPE President Sam Raddi signed an agreement-in-principle in Sachs Harbour on Oct. 31, 1978.

Similar to James Bay, the Inuvialuit renounce forever all claims to 168,000 square miles in return for absolute ownership (including surface and sub-surface rights) of 5,000 square miles and control over another 32,000 square miles. They will also receive \$45,000,000 compensation from 1981 to 1994.

The agreement includes a voice in wildlife conservation, establishment of a land planning commission, economic assistance to native businesses and social development programs.

Existing oil, gas and mineral leases to multi-national and national corporations must be honored and lands cannot be selected for absolute ownership which contain proven oil or gas reserves.

The first agreement north of 60 also infringes, other organizations charge, on Indian land in the Yukon, Dene land in the Mackenzie Delta and Valley, and Inuit land in the Central Arctic.

Faulkner clearly sees COPE as the model. At a news conference he crowed that the COPE agreement was a lesson to other native groups. It shows "you can negotiate a land claim in five or six months if you put your mind to it." He said ITC, the Dene and the Yukon were not "serving the best interests of their people by dragging out land claims negotiations."

How a people are expected to negotiate away 30,000 years of history, culture, traditions, land and rights in six months is not explained by Faulkner's rhetoric.

COPE quietly stated that its agreement achieved "a fair balance of interests between the concerns and aspirations of the Inuvialuit and the national concern and desire for development of the energy and mineral resources of the Western Arctic region."

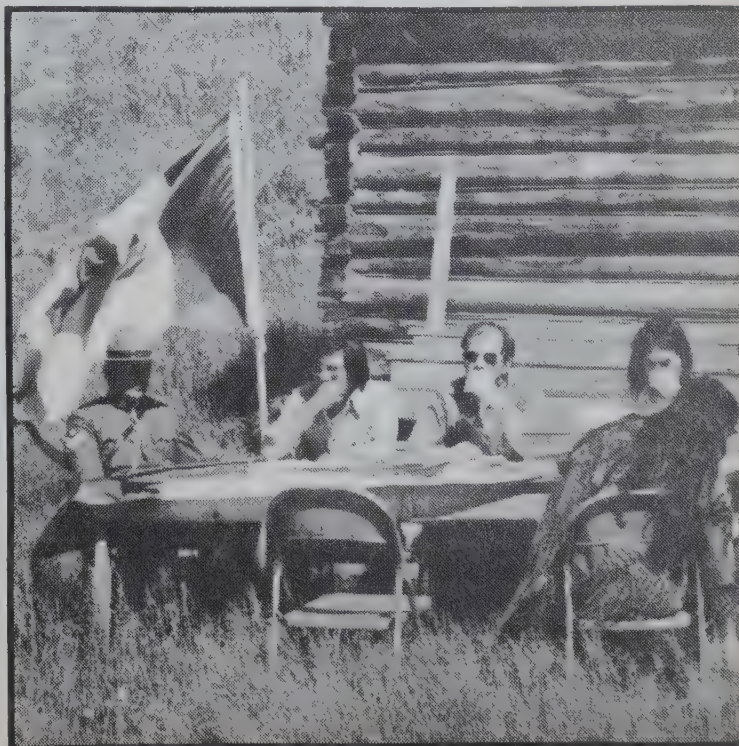
The ITC Land Claims Commission was blunt in its condemnation: "Although disguised as a document which has been prepared by advisors who are knowingly, or otherwise, selling the heritage and identity of the Inuvialuit for money and some shares in corporations, this agreement could be a final step in the absorption of the Inuvialuit by the dominant Euro-Canadian culture because it does not give any political power to the Western Arctic communities."

The COPE Agreement has now been ratified in a controversial balloting by the six communities and awaits final negotiations for legislation by the federal government.

The process, content and philosophy of the two agreements — James Bay and COPE — has drawn the universal condemnation of all other northern Native groups, yet inexorably the federal government pushes onward.

One wonders if the lessons of the black history of Canada's treatment of its first people will ever be heard.

Hugh McCullum, author and journalist, is a staff co-ordinator of Project North.



Department of Information, GNWT

Aboriginal Nationhood meets The Constitution

by Debbie DeLancey

What do we mean by “nationhood?”

To many Canadians, the term “aboriginal nationhood” implies separatism. We define Canada as a nation, and therefore assume that to talk of native nations is to talk of secession from Canada.

But to understand the concept of aboriginal nationhood, one must first distinguish between the terms “nation” and “state.” Technically, nation refers to a cultural entity, not necessarily a sovereign political state. A standard definition of nation is offered by the American historian, Carlton Hayes: “a group of people who speak either the same language or closely related dialects, who cherish common historical traditions, and who constitute or think they constitute a distinct cultural society.”

John Saul, a Canadian political scientist, puts it more succinctly: “A nation is, quite simply, any group which demands to be treated as such.”

The modern world is divided into nation-states, in which sovereign governments claim a monopoly of control over a distinct territory and its inhabitants. But the state and the nation are not synonymous, although in common usage the word nation is generally applied to both concepts.

The establishment of the present world political order has been the inclusion of many nations within larger political entities, and the splitting of many other nations between two or more sovereign jurisdictions.

Peter Russell, the noted constitutional expert, pointed out in evidence before the Berger Inquiry and the National Energy Board, that both usages of the word “nation” have survived in Canada. Canada is a nation in the juridical sense — an independent sovereign nation-state. But within Canada, we have recognized “two founding nations” — the French and the English — co-existing with Confederation.

So it should be clear that the demand for recognition of aboriginal nationhood is not a separatist demand. It is simply a demand for recognition of an existing reality, and for recognition of the right to protect that reality. It is a demand for justice.

But is it constitutional?

There is absolutely no reason why aboriginal nations cannot be recognized through legislation under the present constitution.

Canada’s written constitution is the BNA Act. This act does not specifically endorse the legislative recognition of aboriginal nationhood — neither does it prescribe against it. The BNA Act makes only one direct reference to native peoples, in section 91 subsection 24, which gives the Parliament of Canada exclusive legislative authority in all matters relating to “Indians and lands reserved for the Indians” (the Inuit are considered “Indians” for the purposes of this Act).

Beyond this, the constitution does not stipulate how Parliament should exercise legislative power over native people.

Peter Russell has shown conclusively that, not only is the recognition of aboriginal nationhood possible within one letter of the Canadian constitution, it is also consistent with the spirit of the constitution. Our Confederation was founded on the ideal of pluralistic cultural survival within a single juridical nation — an idea which was the opposite of a programme of assimilation of French-Canadians into British culture, a concept violently opposed by the French-Canadians.

Russell has written: “What is called for now by the Dene people is the application to them of the spirit of Confederation and the ingenuity of Canadian statescraft in implementing that liberal spirit. It is possible to respond to this call by saying, ‘We do not know precisely what you want. In any case, we know that it would entail something very different from our established policies and procedures for achieving your assimilation. Therefore we refuse to even talk to you about your objectives or take your claim seriously.’ While it may be possible to respond this way without violating the letter of the Canadian Constitution, I question whether it is possible to make this response without violating the ideals on which that Constitution is based.”

Parliament's present reluctance to recognize the rights of native nations is rooted, not in any constitutional or legal obstacles, but in the historical tradition of liberal movement in Canada which has seen assimilation as the solution to the "native problem."

The Constitutional Debate

The Liberal Government is calling for a new Constitution for Canada as a major step in the renewal of Confederation. New constitutional arrangements are seen as the solution to problems of regional disparity, of Federal/Provincial disputes over control of resources and other powers, of the discontent of the Quebecois with their colonized status within Confederation.

"Unlike most of us those forebearers were not natives of this country, but who came to this country by choice, the (native people) had had no real choice as to whether or not they should become Canadians and join this nation-state. Their membership in the juridical nation-state is not founded on consent, but on a combination of coercion and trickery. In not the dimmest of senses were they party to any Canadian social contract." —Russell.

When the "two founding nations" entered into Confederation in 1867, the **real** founding nations — the aboriginal nations — were ignored, in spite of the fact that the Confederation of Canada was being established on land that was already under the sovereign rule of the aboriginal nations.

Now the native people are demanding that the injustice be redressed. They see the current constitutional debate as an opportunity for them to negotiate their relationship with Canada on an equal basis — an opportunity that should have been afforded over a century ago.

At first glance, it seemed the Federal Government also recognized this unique opportunity. In the white paper, "A Time for Action: toward the renewal of the Canadian Federation," Trudeau's government identified nine fundamental principles on which the renewal of the Federation must be based. Prominent among these is the "full respect of native rights."

But the government's insincerity became evident when the native people were not even invited to sit in on the constitutional talks as observers, much less as full participants, as one of the founding nations.

In fact, not only the native people have cause for bitterness in this regard. Despite the white paper's proclamation that "the process of constitutional renewal should encourage full discussion among the people of Canada, in Parliament and the legislatures, and among governments, so that all can make their contribution," the actual process of developing a new constitution has been restricted to the provincial premiers, the Federal Cabinet Ministers, and their officials. It's typical of the Liberal government that the drafting of the document which will provide the basis for the future of Canada is being done by an elite group of politicians, with no opportunity for the majority of Canadians to have any input.

How could native rights be entrenched in a new constitution?

We have seen that the recognition of aboriginal nations is entirely possible under the present constitution, if Parliament were persuaded to legislate it but that nowhere is Parliament obligated to do so. How could the political rights of native groups be more effectively entrenched in a new Constitution?

According to Peter Russell, there are a range of possibilities. The most effective would be an outright guarantee in the new constitution granting every native nation in Canada the right to form a jurisdiction, within a province or territory, to govern certain mutually agreed upon aspects of its affairs through its own government. Certain qualifications might be attached, such as a list of the powers a native jurisdiction could control.

A less powerful but still effective possibility would be the establishment of a governmental body such as a Commission of representatives of the native nations, which would monitor the progress of their respective nations in achieving self-determination within Confederation and report back to Parliament. This process would allow an evaluation of the effectiveness of whatever guarantees were entrenched in the constitution.

The minimum guarantee that could be made would be a declaration of principle in the constitution recognizing the right of native peoples to self-determination, i.e. the right to survive as distinct peoples within Canada. Even with no attempt to translate this right into institutional forms and specific guarantees, it would be a vast improvement over the present situation.

But even this minimum guarantee, a simple statement of goals, is more than the liberal government appears to be willing to concede.



The drawing board for Northern natural gas

by James Harper
Community Information & Research Group
Vancouver, B.C.

As the cold of winter gripped the country from coast to coast, we were treated once again to the announcement of multi-billion dollar schemes to move natural gas from north of the Arctic circle to markets in the south.

But the Berger Inquiry is long over; Canadian Arctic Gas dissolved.

We're promised natural gas to fuel our homes and industries. Investment to fuel our economy. New Arctic technology. Jobs counted by the thousand. Secure energy supplied and our balance of payments improved.

We've heard it all before.

The call for a ten year moratorium on northern gas projects has been ignored. Demands for full-scale inquiries have been rebuffed.

With the launching of a new campaign, northern natives remind us the struggle for political and economic rights is still unfinished.

The pressures to exploit northern gas, with their continental origins, continue unabated. The energy companies still jockey for dominance. And they're now joined, significantly, by a federal authority more aggressive than ever before.

Petro-Can Moves

Latest entry to the gas transport stakes is PetroCanada, the national energy company.

In a \$1.4 billion private deal and stock market maneuver, Petro-Can is taking over Pacific Petroleums, one of the top ten in the Canadian oil and gas fields.

And along with other properties, Petro-Can will pick up one-sixth of the Alaska Highway gas pipeline project.

The national corporation has now done what the Liberal administration has promised us it would never do: become an active partner in the financing and construction of the \$14 billion gas line from Prudhoe Bay.

Acting for the Canadian taxpayer, Petro-Can becomes a partner with Alberta Gas Trunk Lines (AGTL), headed up by that architect of Western economic power, Robert Blair.

But their alliance neither begins nor ends there. Both have much more to do with northern gas.

Federal LNG

With AGTL and the Melville Shipping group, Petro-Can unveiled in January the Arctic Pilot Project: a plan to carry liquefied natural gas (LNG) by tanker from the Arctic to the eastern seaboard.

Nearly 2 trillion cubic feet (tcf) of gas will be dedicated to the \$1.5 billion ventures from Panarctic Oil's Drake Point gas field on northern Melville Island.

Panarctic, formed in the late 60's by a merger of northern national interest with the Arctic exploration rights held by 19 Canadian mining companies, is 45% owned by Petro-Can.

It has spent some \$200 million in proving up an estimated 13 tcf in gas reserves. Forty percent is located in the Drake Point field.

Another \$110 million will be spent to bring the Drake Point discoveries to production and meet the Pilot Project's 1983 delivery date.

Panarctic will thus occupy the role of prime producer in the Arctic Island gas play. But Petro-Can's interest in the Pilot Project extends beyond Drake Point alone.

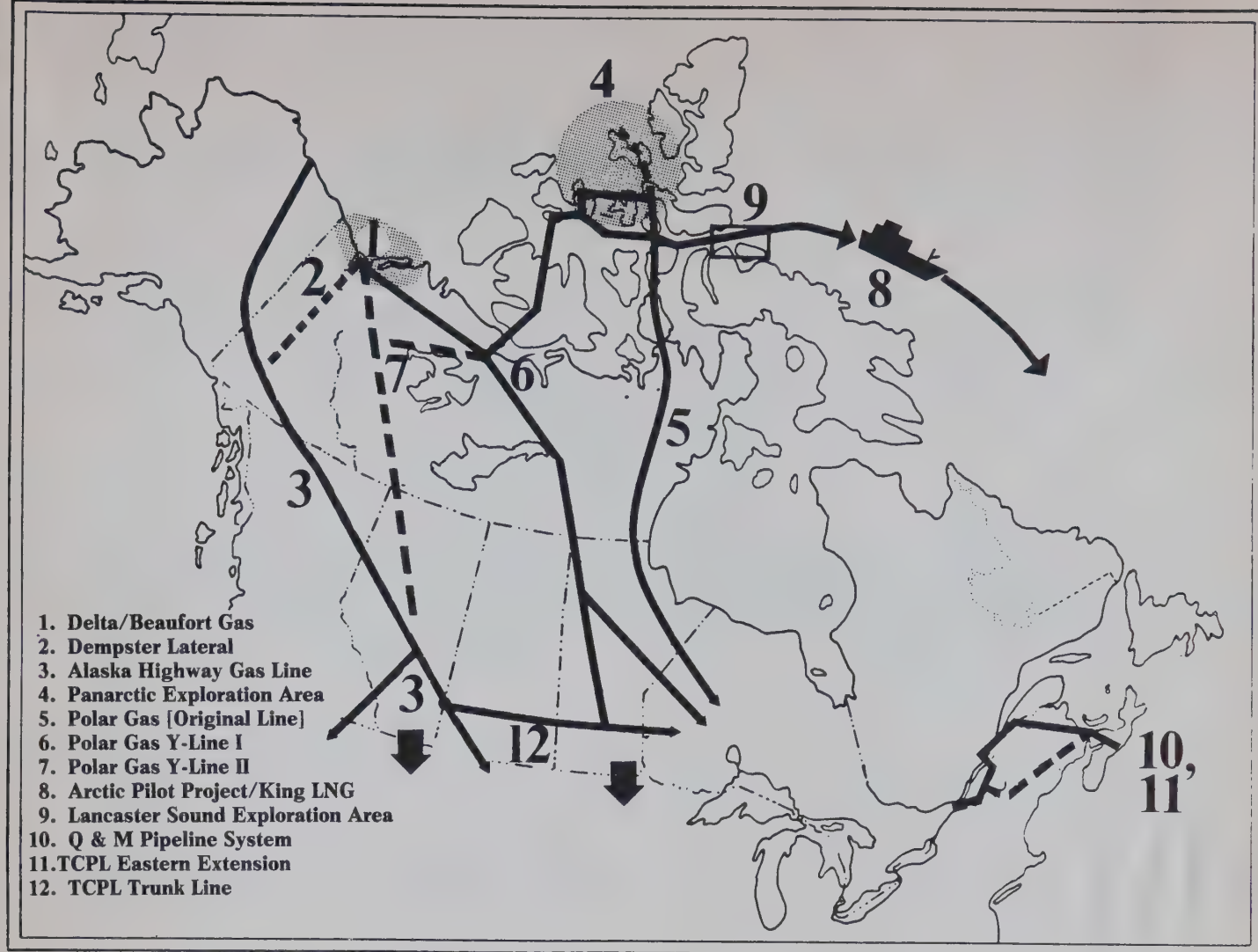
The company will also own between 33 and 55% of the transit system connecting Drake Point to market, including an AGTL-built pipeline, LNG tankers and terminal facilities.

Two ships, each costing an estimated \$250 million, will run between Melville Island and an east coast terminal every 12 days. Routed via Lancaster Sound, they'd deliver an average 250 million cubic feet per day.

Three possible receiving centres have been identified: Saint John, New Brunswick, Cape Breton Island on the Strait of Canso and a point just south of Quebec City on the St. Lawrence River.

All of these could be connected to a new natural gas distribution system being pushed by Ottawa. In theory, eastern demand for gas will be built up and the imported oil on which the region now relies displaced.

AGTL has proposed the Q&M Pipeline system as its move to get in on the ground floor. Q&M would provide service to Quebec, New Brunswick and Nova Scotia: an integral part of the Arctic Pilot Project.



Petro-Can now holds an option on 20% of Q&M. Participation by governments of the provinces served, already discussed, is sure to be linked to controversy over the choice of southern terminal for Arctic LNG.

Regular supply of Arctic Island gas will mean an equivalent amount would not be required from Alberta to satiate the new eastern thirst. This would be shipped to US markets instead.

US customers would pay the price of Arctic LNG delivered to the east coast. East coast consumers, meanwhile, would pay the going rate for Alberta gas. In effect, a price subsidy arrangement would be created and paid for by the US.

It's Petro-Can's role to arrange the swap.

Already one can sense the new conditions that will be the operating rules of the 80's — conditions that were not as clear during the northern gas controversies of the early 70's.

Petro-Can has clearly and aggressively emerged as a unique vehicle of public energy policy. It is wholly owned by Ottawa, headquartered in Alberta and staffed at the board level with experienced entrepreneurs and deputy ministers key in the federal mandarinat.

More LNG

The Arctic Pilot Project is not the only plan afoot to ship Arctic Island LNG.

Trans-Canada Pipe Lines (TCPL) has for 2 years eyed a similar \$2 billion system running south from King Christian Island to a terminal near Quebec City.

King Christian is north of Melville Island, located just off the southern coast of Ellef Ringes. Some 3 tcf of gas has been discovered there, particularly by Dome Petroleum.

However, the profitability of mainland pipeline connection from King Christian has not been made certain. A tanker system offers the possibility of early market access and its cash flow returns.

TCPL's northern tankers, like the Arctic Pilot Project, would connect with new eastern pipelines — this time a Quebec City hook-up TCPL proposes itself.

Clearly only one new gas system will be given the green light for Quebec and the Maritimes. But both LNG projects could conceivably go ahead.

In fact, the companies involved have already discussed a combination of their Arctic tanker ventures.

Petro-Can and Panarctic officials suggest that once an LNG system is in place it will demonstrate that Arctic Island gas can be moved relatively soon, at a reasonable price and at a profit.

The technology will be at hand, they continue, to justify inclusion of Arctic Island gas in the national determination of supplies and exports.

And they expect that with an LNG system ready, the Arctic Island gas play will get a major shot in the arm.

US Connection

None of these selling points are lost, surely, on US Energy Secretary James Schlesinger or on US utilities anxious to tie up future sources of supply.

Petro-Can president Wilbert Hopper, optimistic the US will go along with the Pilot Project's pricing scheme, cites Schlesinger's interest in seeing the Pilot Project go ahead from the standpoint of US energy security.

This should really come as no surprise. It was US utilities that in the early 70's bankrolled much of the Panarctic and Dome Arctic Island exploration programmes.

The utilities went into the deals on the separate assurance they'd receive first option on any gas directly produced or made available for export by Canadian authorities as a result.

That includes both gas at Drake Point and King Christian Island.

The utilities' financial support continued until the US government took action. The US companies, it seems, were passing along the cost of those advances to their then present customers. In 1974, US authorities stopped the gravy train and the utilities got off.

Today their first option is still in place. And the Arctic Island appetite for drilling funds is being largely met by Panarctic, Petro-Can, Imperial and Gulf (as the Arctic Offshore Exploration Group).

Such is the engine of Arctic Island exploration.

Polar Gas

In fact, it is in this period that the Polar Gas project has its origins. As early as 1974, Panarctic President Charles Hetherington made the first announcements of a then bold new pipeline scheme to bring out the Arctic Island gas.

But it wasn't until last year that Polar Gas formally put its proposal before the country. Revealed was a \$7.1 billion big-inch pipeline to transport gas from all the Arctic Island fields to central Canada.

Polar Gas is yet another pipeline consortium. Both Panarctic and Petro-Can are active members, along with the Ontario Energy Corp. and Tenneco Oil of Canada (an affiliate of Tenneco Inc., the leader of the group of US utilities that funded Panarctic exploration).

Canadian Pacific Investments Ltd., a Panarctic shareholder, and two US gas companies (Texas Eastern Transmission and the Pacific Lighting Corp. of California) hold options on equity should the project go ahead.

Project manager is Trans-Canada Pipe Lines.

Running down the Boothia Peninsula and the west side of Hudson's Bay, the Polar Gas route passes near the community of Baker Lake and continues on through Manitoba to join the Canada Pipe Line system at Longlac in northwestern Ontario.

But there's a fundamental problem with the plan: Polar hasn't got the gas. The line must be assured of 17-20 tcf in reserves before it can be financed. To date, only 13 tcf has been proven up — that's just not enough.

And events are in motion that, needed or not, may compel a decision on the only one big pipeline yet to be supported for moving northern gas.

Rather than wait for the hoped-for boom in Arctic Island activity, Polar Gas disclosed on December 1 an entirely new strategy.

Y-line

They call it the Y-line: a \$7 billion combination of Arctic Island gas with movement of 6 tcf lying discovered but untapped in the Mackenzie Delta.

Imperial, Gulf, Shell and other Delta producers were left to the future shape of events by the National Energy Board's 1977 decision on northern pipelines.

But the date the Board set to deal with the Delta question, July 1, 1979, is fast drawing near. With the Y-line up front, Polar Gas has jumped with both feet into the coming controversy.

Polar has a two-pronged approach. In both elements, the connection of Melville Island gas would be re-routed to cross M'Clure Strait and Victoria Island, coming to the mainland near Coppermine, a village on the Arctic Coast more than 400 miles west of the originally planned system.

Now the options: one would have a second branch of the Y running from the Delta eastward between Great Bear Lake and the Arctic Coast, to meet the Melville Island spur at a point south of Coppermine.

A large-disiameter pipeline would then carry 2 billion cubic feet of gas per day southward from that junction (the same volume as Polar Gas originally hoped to draw from the Arctic Islands alone).

In this scenario the Y-line's trunk would traverse the NWT, nick the northeast corner of Saskatchewan and come down through Manitoba to link with Trans-Canada near Winnipeg. Alternatively, the system could pass onward through northern Manitoba to the initial Trans-Canada connection point at Longlac.

But Polar Gas has unleashed yet another twist, a second type of Y that will revitalize the controversy of the recent past: a major pipeline corridor through the Mackenzie River valley.

The \$5 billion Mackenzie Valley-only concept for moving Delta gas put forward by AGTL as the "Maple Leaf" line would, essentially, be resurrected.

Except this time, Melville Island gas would be piggybacked, brought across the NWT from Coppermine by a route north of Great Bear Lake.

Already Polar Gas has held more than one meeting to discuss the Y-line with potential Delta producers and with Beaufort Sea operator Dome Petroleum.

Polar Gas is acutely aware that only one major system could be built in the next decade to link northern gas fields with southern Canada and US markets.

At the same time, it has clearly indicated Arctic Island gas reserves cannot in the near future justify the project it originally proposed.

And, it's the near future that is a pivotal period. But whether the Polar Gas piggyback will fly remains to be seen.

Delta Pipelines

The NEB's northern pipeline decision legitimized the first move in a new round of Delta sweepstakes.

A spur line down the Dempster highway corridor to the Delta gas fields — dubbed the Dempster lateral — was tentatively included in the central project moving Alaskan gas to the lower 48.

The Dempster lateral was also on the table in Canada-US negotiations of Alaskan line acceptance.

The NEB, of course, believed then that Delta gas would soon be necessary to meet Canadian requirements.

Foothills Pipelines Ltd., the AGTL-Westcoast Transmission partnership building the "express" Alaska Highway line, is to report back to the NEB by July 1 with its studies of the Dempster scheme.

Now Polar Gas has promised the NEB its Y-line studies at about the same time.

And as if that's not enough, the inherent weakness of complicitous regulation has shown itself once again.

For among the pipeline maneuvers of mid-winter was the revelation that Blair's Alberta Gas Trunk and Dome Petroleum have too been discussing a joint resurrection of the Mackenzie Valley pipeline corridor.

Such rumblings have been heard before. Blair has never publicly discounted a Mackenzie line. And Dome chief Jack Gallagher has wondered aloud as to the superior merits of a Mackenzie line — even since the Dempster lateral's appendage to the Alaska Highway project.

Now the rumblings are getting louder, if not downright concerted, as the July 1 target date draws near (and the NEB prepares to issue its latest findings on the disposition of our gas).

The Dome-AGTL discussion of the Mackenzie takes place in a context of events broader than the Delta gas question alone.

Foothills Revised

That too became clear in early January, when it was made known a much bigger deal was in the works: the alliance of Trans-Canada Pipelines with the Foothills consortium in construction of the Alaska Highway gas line.



In October of last year, Dome Petroleum took control of Trans-Canada in a \$100 million deal on the stock market. Gallagher indicated at the time his intention to bring Trans-Canada and AGTL closer together.

(Historically they've been uneasy business partners in the transportation of Alberta gas. Even last year they proved unwilling to consummate a deal on the Alaska gas line recommended by the NEB in 1977. But that was before Dome's October move.)

Focus for the latest talks is a change in plan for the eastern leg of the Alaska Highway gas line.

Originally intended was the construction of an entirely new pipeline system for Alaskan gas through Saskatchewan and the mid-west/north-central regions of the US — right through Trans-Canada's service area.

Now it seems new construction might be abandoned in favor of a direct hook-up of Trans-Canada's main system with the Alaskan gas. TCPL could thus become a partner in the Foothills group.

Such a notion has already been put to US Energy Secretary Schlesinger. Dome officials, accompanied by representatives of Foothills US counterpart Northwest Alaskan Pipelines, travelled to Washington DC in early January for a meeting with Schlesinger to elaborate the scheme.

That Dome should evince an interest in both the Mackenzie Valley and the entire Foothills project occurs for not unrelated reasons.

Dome, as of last October, is the single largest shareholder in TCPL (itself the country's single largest gas line operator). It's not surprising TCPL would look for a way into the biggest pipeline project in history despite last year's reticence to strike a bargain.

Such expansion into high cash flow operations is entirely consistent with Dome's pattern of development.

A Mackenzie Valley connection with the Foothills project, in total, would be a key step in that direction.

Beaufort Sea

And Dome has a big stake in the gas fields of the Beaufort Sea. Its offshore drilling programme, subject of a major controversy when first initiated, has now been going on for three years.

Though Dome certainly has found gas in the Beaufort, it has yet to declare the big elephant — the one giant gas find that justifies all its promises and legitimizes movement of Beaufort gas in the national interest.

A Mackenzie Valley connection could piggyback what Beaufort gas there is while providing an impetus to more intensive development of the Beaufort, Delta and near-shore areas alike.

But as in the case of Polar Gas, that exploration has so far come up short in the Beaufort is surely not from lack of federal support.

The cabinet in 1974 gave Dome's Beaufort programme its approval-in-principle, long before the risks were well known. And despite well-articulated arguments to the contrary from the Inuit of the Western Arctic, and southern environmentalists, that principled agreement became operative authority in 1976.

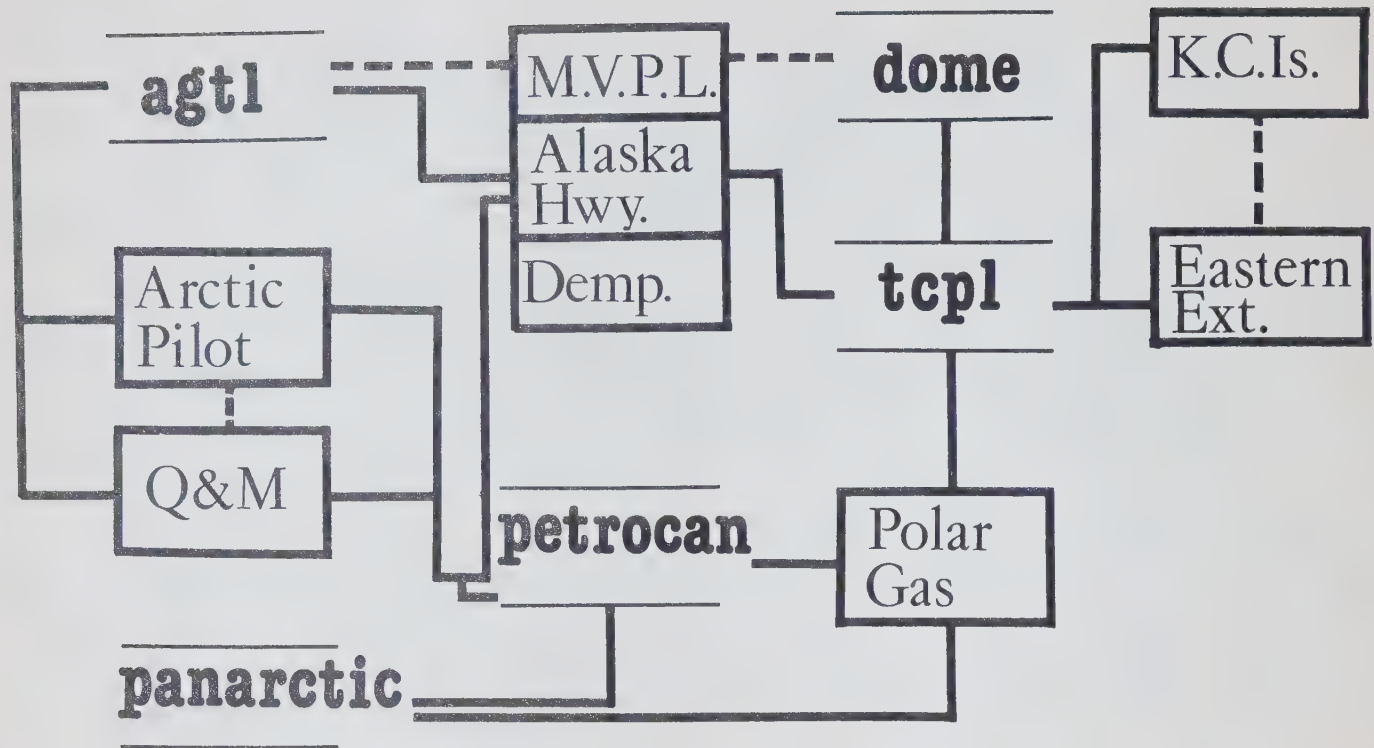
Since then cabinet has consistently extended Dome's drilling season, leased federal icebreakers to aid in the cause and, of course, provided unique tax allowances giving Beaufort investors more their 100% deductibility of their gambling money.

Still no big elephant. Nor has Dome proven up its assurances of environmental safety in offshore drilling, with three "accidents" in as many years.

This approach to the Beaufort underscores a federal role in Arctic gas more closely in tune to the expected practice of government.

But permissive regulation (even with assessment of environmental risk included) has its context in a northern policy which recognizes, and is reinforced by, energy supply development.

CORPORATE LINKS



———— indicates interconnection between projects and corporations

□ indicates a resource development project

———— indicates companies active in a project

agtl	— Alberta Gas Trunk Lines
tcpl	— Trans Canada Pipe Lines
M.V.P.L.	— Mackenzie Valley Pipe Line
Demp.	— Dempster Lateral
K.C.Is.	— King Christian Islands
QLM	— Q & M Pipeline System

In broader terms, the activities of Petro-Can complete the federal tool chest.

Policies of environment, manpower and social programmes may serve to amend the process or minimize the risk perceived. But nowhere in the north have they stalled the engine.

Case in point: offshore drilling in the eastern Arctic.

Eastern Arctic

Northern Affairs Minister Faulkner has announced the government will now consider applications to drill the Davis Strait off Baffin Island.

Prospective operators, prominently Imperial Oil, have already indicated their intention to start up this summer.

Meanwhile, the preliminaries have not ended for exploration in Lancaster Sound on Baffin's north coast.

Norlands Petroleum, a subsidiary of the Northern Natural Gas Co. of Omaha, has applied for Lancaster drilling authority.

And waiting in the wings, as if not to call attention to federal duplicity, is Petro-Can, holding the largest block of offshore rights in the Lancaster area.

The federal response, spurred by the furor over the Beaufort in and out of government, has been the organization and funding of environmental studies with the industry.

And Ottawa commissioned a review panel, an arm of its Environment Dept., to assess the risks and make its recommendations.

The Davis Strait announcement is the first in a series of decisions to be phased with completion of the environmental homework.

There are as yet no results from the Lancaster focus. The Norlands application is effectively a test case to set precedent for future activities in this critical marine environment.

The eastern Arctic is only now being formally committed to proliferation of the gas hunt. It will be several years before gas fields are developed to parallel the readiness of the Delta or Panarctic in the Arctic Islands.

But as we near that stage we'll no doubt be confronted with transportation schemes yet to be revealed.

Fundamental Struggle

So where have we come to? The events of the last few months and years are long in the telling and sometimes confusing to understand.

We find today a surprisingly small handful of energy companies setting the stage, forcing the risks and demanding the capital for Canada's staple export of the 80's.

We hear the west is bursting with gas supplies beyond all expectations. The solution we're told, is to export it to create new Canadian markets and to bring down northern gas in replacement.

We're told energy projects will be our bread and butter: a million man-years of work our Energy Minister promised, more than 200,000 of them derived from northern gas.

Public and private economists indicate the energy requirement from GNP will rise some 30% over the next 15 years.

Estimates of the energy bill range from \$180 to \$300 billion. More than \$30 billion would be dedicated to the northern gas projects alone in that period.

Much will be financed from Canadian savings and government spending: capital that the private banks say won't be allocated to social needs like housing and education.

Such is the magnitude of the structural commitments being framed.

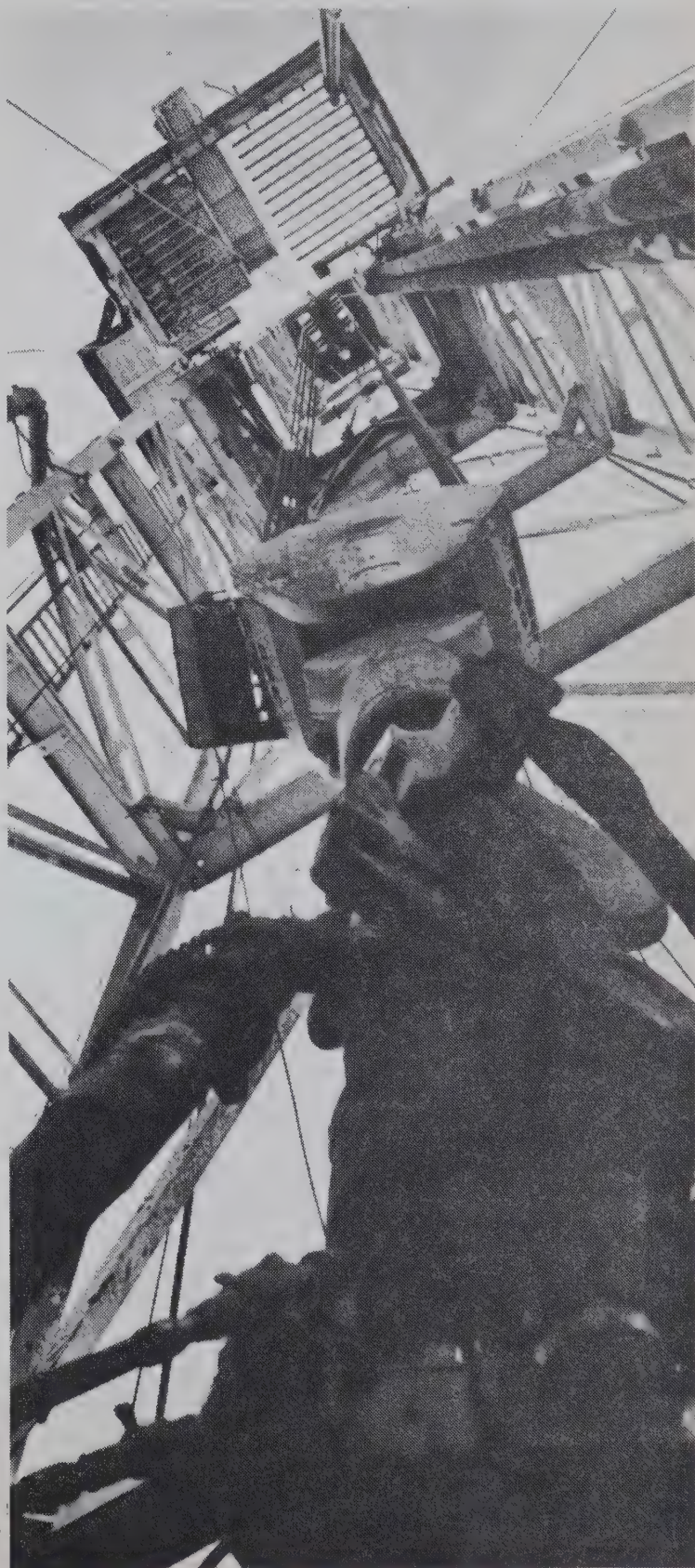
We're a country of a million unemployed. To challenge northern gas projects is not easy. But of those promised man-years, how many will be for new jobs? Or lasting ones?

Hewing wood, drawing water and now building pipelines — none have proved a sound employment strategy.

We find our national priorities linked inextricably to the politics of energy, especially in the north. Petro-Can's agenda and complementary policy are the guarantee of that.

Federal activism on northern gas, critical in its support of continental markets, not only puts native livelihoods at risk. It asserts federal hegemony. It shapes the environment of negotiations.

And it forces the grievances put so squarely before the country by northern natives to be a fundamental struggle for control.



DIAND photo

Where do we go from here?

by T.R. Anderson

What shall be the future direction and character of Canadian society for our children and their children? The northern native peoples — Dene, Inuit and Yukon Indians — in their cry for a halt to further indiscriminate invasion of culture and land, create a Kairos, a time pregnant with possibilities for new beginnings and directions.

Decisions presently before us and immediately pending concerning the people and the $\frac{2}{3}$ of Canada's land mass that are north of the 60th parallel will shape for good or ill the future of us all. Seldom is a country so clearly and dramatically presented with an opportunity and responsibility to intentionally plot its future course that northern native peoples (and, of course, in a quite different way, Quebec) provide.

How are we to grasp the far-reaching implications and hence varied considerations entailed in the alternate ways of responding to northern native aboriginal claims?

One way of beginning to sort out some of these issues for scrutiny and responsible decision-making is to examine the major public policy goal options concerning the relationship of northern native peoples to non-native Canadians. (The relationship between non-natives and varied native groups south of the 60th is a related but different problem.) Setting to one side for a moment the "how" question of appropriate means, what should we seek to accomplish, what should be the "hoped for results" in formulating public policy regarding northern native peoples and we who are non-native peoples? At least five options present themselves:

1. **Subjection/protection:** One possible policy goal is first, to make and keep native people subject to and dependent upon the invading and now dominant culture group, and secondly, to preserve and protect native people and their culture as a distinct, though dependent, people. This is a colonial policy. A colony is "any territory in which the conditions of life — social, economic, political — are defined for the whole population by a minority different from the local majority in culture, history, beliefs and often race." Though we usually think of the colonizing minority as from another country, it can also be a group belonging to the same country creating "colonies within." Such a policy goal was operative in the early era of French and British immigration to Canada. Many feel it continues to be the actually functional, though not named, goal of the Canadian territorial governments.

2. **Assimilation:** A second possible policy goal is assimilation. The hoped for result in this option is the amalgamation of native people economically, politically and culturally into the "mainstream" of Canadian life, resulting finally in their disappearance as a distinct people. There is a form of assimilation in which "peoples" or cultures of approximately equal size and strength agree to merge to form a distinctively new "people" or nation. But where one cultural group predominates because of numbers or power, assimilation means effectively the absorption of the smaller group into the dominant one. The latter would clearly be the result of such a policy goal in Canada.

The assimilation goal was the predominant, operational goal of public policy regarding native people in Canada from 1857 to 1973.

Occasionally, it was openly declared as such. The means employed to effect it have been varied, even seemingly contradictory, but education, religion, economic schemes, enfranchisement have all been used in a so far futile effort to accomplish this end.

The general approach to aboriginal land rights congruent with this policy goal is viewing those rights primarily in terms of compensation as a means for aiding native people in adjusting to an entry into non-native economic life and culture. Extinguishment of claims and an end to "special status" would be essential to an assimilation goal.

3. **Integration:** A third possible goal of public policy regarding the relationship between northern native peoples and non-native Canadians is integration. The object is full participation of native people as equals in "mainstream" political and economic structures but — and here is where it differs from assimilation — maintenance of their distinctive native culture alongside other cultural groups. This goal has been called, most recently by Trudeau, a "cultural mosaic," as opposed to the melting pot image of assimilation. It is the stated aim of the now infamous government "White Paper" of 1969, even though that document first appears to be assimilationist and some of its proposed measures would probably have had such an effect. A "full role in Canadian society and in the economy" is advocated, but at the same time "the Indian cultural heritage can grow and expand further to enrich the general society." Integration appears to be the government's continuing policy goal since at least 1973.

An approach to northern aboriginal rights congruent with this policy goal would be up to a point similar to that of assimilationist policy in terms of emphasis on compensation as a base for economic participation plus extinguishment of claims and special status. However, certain limited rights regarding land use necessary for preserving and developing culture might be advocated providing they do not grant native groups privileges substantially greater than those accorded to other minority groups in the "mosaic."

4. **Interdependence:** A quite different policy goal option is recognition and improvement of native collectives or "peoples." With other appropriate "peoples" such as Quebecois and geographic regions in Canada that comprise politically self-conscious entities, they could then form a genuine partnership in a new variation of Canadian Confederation with a different constitution.

Like the subjection/protection goal and in contrast to the other two policy options, this one recognizes the "peoplehood" or collectivity of native groups with their distinctive economic and political system as well as their unique cultures. Indeed, it could be argued that if the latter is to mean anything more profound than interesting recipes and colorful dances, it is inseparable from such systems. But in direct opposition to the subjection/protection goal, this one seeks the enhancement, not subjection of those collectivities and further partnership with them, not paternalistic protection of them. Such a policy goal can be labelled "interdependence."

Most northern native groups prefer some variation of this interdependence goal. Central to it is the reality of peoplehood, the experience common to all ethnic groups of a peculiar bond that entails a sense of themselves as a group distinguishable from others with a unique heritage, creations, standards.

But there is an additional quality to this deep communal sense of northern native groups that is found in some but by no means all ethnic groups. That quality is the expression of this bond in distinctive political structures and practices, and the strong desire to continue these in some form. Thus native "ethnic identity" increasingly becomes a significant factor in Canadian political life. The term appropriately chosen by native people to describe such an ethnic collectivity with a political dimension is "nation." Alas, the ambiguities of the English language are such that this word is used also to refer to a circle of persons bound to a certain state, and the word usually connotes separate statehood.

The aim of the interdependence option, however, is a single Canadian state consisting of a federation of several nations, each with powers roughly similar to those now held by the provinces.

An approach to northern aboriginal land rights consistent with the interdependence policy would not focus on monetary compensation, but rather on recognition of political and economic powers for native nations to an extent possible within a Canadian Confederation. It would also seek the entrenchment of these within a revised constitution.

5. Independence: The status of an independent sovereign state for each northern native nation or a coalition of them is another public policy goal option. Apart from the doubtful feasibility of ever achieving such an objective, even if it were ever politically possible to adopt it as a goal, I am not aware of any group in Canada, native or otherwise who at this time advocates it. Aboriginal land claims would, of course, from the perspective of this goal be approached as negotiations over what territories legitimately belong to the native nation state.

A host of questions confronts us in choosing which of these should be our objective.

One of the first is, who should decide? Clearly those most affected, i.e. northern native people. But also affected are the rest of us, not least because it is a relationship between peoples that is being determined and we and our children experience the results, albeit in more diffuse and delayed ways. Not only are persons and groups most likely to set and pursue policies that are thought to be in their own self-interest, frequently at the expense of others, but further to define justice, the good and right itself in such terms. An important step in mitigating this problem is broadening the base of power to participate in decision-making. In light of this, the churches' recent effort both to make certain that northern native views are heard and given as much power as possible in the face of the strength of opposing interest groups, and to advocate a delay in northern development so that wider participation by the people may be given at so crucial a turning point, makes good sense.

Which of these options should we as individuals and/or groups advocate? What factors should enter into deciding that? From a Christian perspective a basic conviction that will hopefully inform our choice is that God who acted in Israel's history and in Jesus Christ continues to act in the present to fulfill his promise of transforming persons, society, even creation itself into a world of justice, dignity and harmony between person, God and nature — Shalom.

Further, the aggressive love of God for all persons entails a "strategic concentration" on the dispossessed, exploited and neglected and a liberation from the conditions that so enslave them and their oppressors. This does not vend our answers or choices — many additional principles, convictions and analyses are needed for such decisions — but it does provide a perspective and a direction. Thus the subjection/protection and assimilation goals, whatever their justification in the past, are clearly incongruent with God's purpose of Shalom.

The main choice seems to be between integration and interdependence — if independence seems neither sought for nor feasible at this time. In so far as most native groups wish

interdependence, and because they have existed in their land as "peoples" or nations for thousands of years, the moral burden of proof clearly rests on why interdependence should not be the goal sought. Are there any sound reasons, moral or otherwise, for not advocating such?

The implications and likely consequences of an interdependence policy are more far reaching for Canadian society than those of integration. It has important economic implications in terms, for example, of a different understanding and approach to economic "development" with emphasis on renewable resources rather than extraction of non-renewable resources, and in terms of control of economic power with accountability to local regions and peoples.

The policy goal has important political implications. The recognition of the ongoing reality and significance of "peoples" or nations is contrary to the conventional wisdom of both liberals and leftists. The former view it mainly as an impediment to true individual liberty, perhaps at best a step on the way toward that. Those weary with the atomistic and anarchist alienation of modern individualistic society which searches for meaningful roots and community, however, may want to look again at "the bond of peoplehood."

The conventional left, traditionally more sensitive to the collective and corporate dimension of human life, nonetheless, defines such primarily in terms of economic class based on relationship to the means of production. "Peoples" or nations seeking independence can be a step on the way from colonization but such loyalties should not persist to the point where they interfere with class allegiance. The persistence of "peoples" and ethnic loyalties on both sides of Marxist revolutions points to an important abiding reality not adequately accounted for in traditional leftist ideology.

In Canada, however, both the "agrarian socialism" of the Prairies and an early Tory tradition hold promise as possible sources for further appreciation of a several-nation state.

A very significant and exciting agenda, then, is generated by the choice between integration and interdependence goals, issues that affect the very heart of our institutions and society. Hopefully, we will demand from our government time and opportunity for serious public debate about them and begin that process in this spring campaign.

T.R. Anderson is Vice-Principal of the Vancouver School of Theology.



DIAND photo

What's a nice church like you doing in a fight like this?

by Bonnie Greene

Reprinted from the Committee for Justice and Liberty
Newsletter, December 1976.

The past four years have brought profound changes in church circles involving public confession and repentance and a commitment to standing with Native peoples in their effort to have a say in the type of development fostered in the North.

Why the turnaround? What pushed the churches beyond their usual worship activities into public campaigns on northern development and the land claims of Native peoples? Why, after decades of paternalism, did the change come in 1975?

Church historians will undoubtedly turn those questions over for years, but for the present a number of explanations emerge from the statements issued by those who speak for the churches. For one thing, say Hugh and Karmel McCullum of Project North, the plight of Native peoples had hardly touched the consciousness of southern whites until someone discovered that Native peoples were sitting on land that held profitable resources. Suddenly what had once been the northern wastes — where no sane person would have willingly chosen to live — became a valuable heritage of all Canadians to be developed for “the greater good of the majority.” That very ugly shift in the attitude of some southerners was most obvious in the arguments for a speedy beginning to the Mackenzie Valley pipeline.

Unfortunately for those who counted on the public buying that line of argument the horror tales about a Canadian “energy crisis” had already begun to look a bit tarnished. Back in 1972 Canadians might have believed that an energy crisis was really upon them, but over the last four years too much contradictory evidence has emerged to allow everyone to be taken in again. In 1975 the sudden interest in the land of the Native peoples began to look just a bit suspect.

The pipeline question clearly brought together some of the most nagging problems of the past fifteen years: the power of transnational corporations to determine the public's needs and the means of meeting them, the effects of foreign investment on the Canadian economy, the racism practiced by a government to assimilate Native peoples and deny them any significant role in shaping the development of the land they inhabit, the destructive effects of an overdeveloped, consumer society on southern Canadians, and the long-term environmental effects of rushing to extract energy without seriously trying to slow its use. The Mackenzie Valley pipeline became the expression of much that was wrong in our society. By pulling together so many of the problems confronting us, the pipeline placed them all within a context that made the implications inescapable.

At the same time, the head-on collision between the resources industry and a relatively helpless group of people made the thrust of “northern development” frighteningly clear. Native peoples would adapt, give over what they had, pick up their once-for-all royalty cheques, and join the rest of the world in its pursuit of the good life in the consumer society. When some Native people's groups said they didn't want that way of life, no one seemed to care. What became clear was the old pattern from the past — from the James Bay Hydro project, from the Churchill River Diversion Project, from the treaty negotiations earlier in the century, from the activities of the traders and the government officials in caring for

the “children” of the North. Church leaders recognized that as an institution the churches had been involved. They had run the major socializing institutions and had unwittingly evangelized the residents of the North to accept the gospel of the industrialized nations rather than the gospel they had intended to preach.

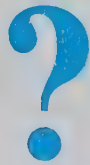
Active Repentance

In the wake of the civil rights struggle in the United States, of the liberation struggles of peoples all over the world, of the quest for just economic relationships among the nations of the world, the course the churches had to take was unavoidable. Self-criticism and repentance were essential. And so, in 1975 the Anglican and Catholic churches issued statements opposing the pattern of development being pressed on northern peoples. The United Church also passed a resolution and became a founding member of Project North. Later support also came from the Lutherans and the Presbyterians. In June of 1975 the Anglican Synod passed resolutions declaring that policies and actions relating to Indian, Eskimo, and Metis peoples must be based on significant consultations with Native peoples and must reflect their expressed desires. The Synod also declared itself willing to support Native peoples in their efforts to settle treaty and aboriginal rights and to achieve “a just settlement to their land claims”; the Primate was asked to present the Synod's resolutions to the federal government and the dioceses of the church and to work with other church leaders on this critical issue. Finally, the Synod asked the federal, provincial, and territorial governments to begin negotiating Native peoples' land claims and to halt their plans for northern development until the claims were settled.

In September of 1975, the Canadian Catholic Conference issued the Bishops' Labour Day Message on the same questions. The pastoral message, called “Northern Development: At What Cost?” laid out in concrete and blunt terms the most significant issues involved in the northern development questions: a) “social justice for the native peoples of the north” and b) “responsible stewardship of energy resources in Canada.” As a statement addressed to the entire Canadian population, the Labour Day Message became a significant starting point for public discussions even beyond church circles.

The Labour Day Message was widely acclaimed, but it remained only fine words on paper until the churches got together to do something about them. One of the most visible efforts was Project North, an interchurch effort designed to educate southern Canadians on northern development as it relates to Native peoples and to the “quality of life” question in the South. With Hugh and Karmel McCullum as coordinators, Project North was also designed to mobilize Canadians to press for a moratorium on northern development until Native land claims have been settled and full public discussion of all related issues has taken place. Other interchurch taskforces also provide resources in an effort to confront as many southern Canadians as possible with the viewpoint of Native peoples and with the biblical demands for social justice and responsible stewardship.

What is the Church's business?



by Dr. Russell Hatton

To proclaim and preach the gospel is to act on behalf of the poor and oppressed.

This is a dangerous and threatening gospel to those who have power and want to keep it, to those who have control and want to maintain it.

The backlash in this country developed at precisely the point where it was discerned that the churches had entered the arena of power and decision-making, hitherto the sole occupancy of those who controlled corporate vested interests and who usually defined the national interest for all of us.

On June 4, 1976, Project North appeared before Mr. Justice Thomas Berger in Ottawa to present an extensive argument for a moratorium on development in the north until native claims were settled and the opportunity provided native people to set in place their own mechanisms for control of the land and resources.

During the previous year, Roman Catholic, Anglican and United Churches had developed policies supporting native people on this question. Project North staff and national church staff were invited to almost every province as church people were preparing themselves to present local briefs to both the Berger Inquiry and to governments. This activity by church groups all across the country, coupled with the effective impact of the impending Berger Report, sent numerous church and business people into a rage of resentment and hostility.

Church leaders were deluged with letters, phone calls and invitations to a variety of meetings with top business and corporate executives, particularly from the oil and gas industry. It was obvious that the churches had taken a clear stand with native people against the most powerful interests in this country and continent and were opposing the largest single project in our history — the building of the Mackenzie Valley natural gas pipeline.

Some retired church business people, together with some bishops and clergy, formed an organization called the Confederation of Church and Business People (CCBP). A CCBP "situation" paper dated April 12, 1978, and marked "private" reveals the purpose of this group:

1. so-called church organizations had gone too far in hurting "business"
2. to make an effort to correct their attitudes and approaches before they did more harm to free enterprise and the real church.
3. to keep our activities inter-denominational.

CCBP has offices in Commerce Court, Toronto, reportedly has a budget of \$100,000.00 and has hired a full-time director. It is allegedly nation-wide and the current program, according to the "situation" paper, is to focus activities on certain "areas" such as finding and exposing sources of disruptive activities and finding and encouraging specific constructive activities.

Whatever the avowed aims and objectives of CCBP are, it is clearly an organized attempt to discredit the inter-church projects primarily by generating the proposition among the church constituency that the church projects are the result of a small elite group of activists attempting to subvert the church and country, and that the issues as presented do not represent, nor are they supported by, the majority of church people across the country.

There is evidence that suggests otherwise. Over the past year, official gatherings of church bodies, in conferences and synods, have been reaffirming the church justice-advocacy work.

And recently, results of a social ministry response poll taken at the conventions of the three Canadian synods of the Lutheran Church of America (Canada section) indicated a pronounced supportive interest among Canadian Lutherans for such work. 88% of the 187 replies made in the eastern Synod favored maintaining the present level of social ministry or increasing it. In the central Canada Synod 92% of the 83 replies favored the present level of, or an increase in, the amount of church-in-society development. Western Canada Synod results were 89% and 188 replies in favor of continued or increased social ministry activity.

Delegates to these Synods were also asked to record the subjects of social concern in which they were especially interested. Results showed a predominant interest in native rights, poverty, aging, corporate responsibility, and northern development.

According to Dr. John Zimmerman, Executive Secretary of the Lutheran Church in America (Canada Section), "The results contradict the opinion of those critics who have been saying that church leaders and staff do not represent the rank and file of the church."

Russ Hatton is an Anglican priest and former team member of Project North.

Self-determination and the global outlook

by Karmel Taylor McCullum

Two major conferences in 1970 and 1977 in Barbados which produced the Barbados I and II Declarations made clear the fundamental right of indigenous people around the world to self-determination.

“Indian people are the protagonists of their own destiny.” These declarations, produced by Indians from Latin America and certain anthropologists from South American countries, called for liberation from physical and cultural domination and the right of indigenous people to survive and flourish as unique races and cultures. Assimilation and integration were rejected as methods of “solving the native problem.”

“To this end ownership of land is of paramount importance,” Barbados II declared. Ownership of land to indigenous people is communal, not private, therefore, it is essential they regain control through recognition of their right to political self-determination.

Yet today the original people of many nation-states find themselves threatened culturally and physically on their own land. Since time beyond memory, the Indians, Inuit, Aborigines, Igorot, Samis — the people called indigenous, aboriginal, or native — have occupied the land they believe was given to them by the creator.

The land is the essence of their being. It is their peoplehood, their nationhood. Through centuries of spiritual devotion to the creation, the indigenous peoples have developed social, cultural, religious and economic patterns of life which are in harmony with the rhythms of the land itself.

Contrast the view of land held by the industrial societies with that of the indigenous peoples. The land is the unifying force in their lives, the source of spiritual strength. It is essential to all aspects of life — social, political, spiritual, cultural, economic — and to separate the people from their land is to deny their peoplehood.

Indigenous people refer to themselves as nations because of this inextricable union with their land. When the first discoverers and conquerors took away that peoplehood by removing ownership and control of traditional lands, they began the process of destruction which continues to this day.

It may be argued that exploitation of the native peoples' land differs from place to place. Some will insist that Brazil is a particularly harsh example, while Australia is more humane in its treatment of aborigines. The difference is one of degree, the results are similar.

When the white conquerors first arrived in what is today known as Brazil in the 15th century, they found a lively, well-organized population of nearly 5,000,000 in the Amazonia region. Fewer than 250,000 remain.

For some 30,000 years, at least 300,000 aborigines lived all over the Australian continent, but in the last 189 years since the British arrived, their numbers have been reduced by half and they live on the most marginal of lands.

The simple facts remain. The indigenous peoples of the world, wherever they live, are the losers of our societies. They are marginalized culturally and economically. They are condemned to death because their values and their attachment to the land are different from those of the dominant societies.

Australia and Brazil

The Aborigines of Australia

In Australia, despite growing opposition from aboriginal land councils, the original assumption of the white settlers still applies to much of the thinking about land. It was assumed the land was unoccupied, and therefore automatically belonged to the Crown — no treaties, no defeat of a conquered people, since the aborigines simply did not exist as a race and nation of peoples. Yet it is abundantly clear that before the British arrived, there were at least 500 viable aboriginal nations, each composed of a number of clans. There was no ruling class, the land was sacred and belonged to all.

The European concept of land as property was an atrocity to the aborigines. Western-style “development” was a violation of everything they held important. There are documented reports that people sickened and died when they saw what the British colonials were doing to the land.

Unlike most British colonial territories, Australia was claimed and occupied without the negotiation of treaties, without purchase or payment or compensation or without conquest. Settlers simply moved steadily onto aboriginal lands, destroying or driving out all but the few whom they could use as laborers.

The settlers, and their eventual governments, declined to acknowledge that aborigines owned and used the entire continent. The aborigines were pushed into remote areas and the land was covered with sheep, cattle and crops which destroyed the traditional aboriginal food supply. There was no compensation. Instead there was dispossession by the murder of individuals and by the massacre of groups. Shooting, poisoning, European diseases and malnutrition resulted in a reduction of the aboriginal population from some 300,000 in 1788 to about 60,000 in 1933, and today there are about 150,000.

Relations between the two main races in Australia since the arrival of the Europeans has been one of violence, racism and injustice for the aborigines. The basic racism has been to dismiss the aborigines as non-persons and to ignore them. Early explorers spoke of them in the same breath as kangaroos. Settlers treated them no better than animals. Many people today rarely take them into account as fellow citizens. Related to this attitude is the assertion that Australia is, and must be, an homogeneous society with a monoculture that is European. One consequence of this ingrained assumption is that, in time, the aborigines will be absorbed into the mainstream and become “Europeans.”

To dispossess aborigines of their land was in itself — and still is — a form of destruction. Their relationship to their land is of a spiritual nature. When that is destroyed, they are destroyed spiritually, for the basis of their ancestry and identity as individuals and clans has been cut from under them. It has taken the European Australians nearly 200 years to understand this and to begin to realize what they have been doing. This has been grave injustice.

Aborigines have begun to fight back. In 1970 the Aboriginal Advancement League petitioned the United Nations for a comprehensive land claim which demanded:

1. that all land occupied by the aboriginal people of Australia at the present time be turned over to them, including mineral rights pertaining to such land.
2. that all Crown land not actually in use be returned to the aboriginal peoples who originally owned it and who in justice must be recognized as the owners of it today.
3. that just compensation of \$6 million be paid to the aboriginal people of Australia.

While this action was designed primarily to focus world attention on their plight, it has led to some grudging actions by federal and state governments.

However, at the same time, because multinationals are anxious to explore and develop the natural resources, particularly uranium and bauxite, the legislation has had the effect of countering most

moves by the aborigines, supported by churches and labor, to gain greater political control of their lands. During the 1960's and 1970's, there was a significant development among aborigines of self-consciousness as people with rights and a future. The Yirrkala and Gurindji land claims were important symbols of this in the north, while the aboriginal “embassy” in Canberra, and the quest for aboriginality were striking signs of it in the south. There has been a strong revival of aboriginal culture throughout the continent and of the aboriginal languages in places where they had almost died out.

There has also been the assertion of aboriginal initiative and leadership in the Federal Council for the Advancement of Aborigines and Torres Strait Islanders (FCAATSI) and in the formation of land councils.

From the aborigines' point of view, the central concern is political self-determination, and that is the test by which government policy, programmes and attitudes will be judged. Self-determination is defined by the aborigines as the right to own communally, control and govern, not only the meagre reservations presently allotted them, but also their traditional tribal lands within the nation-state of Australia.

The Indians of Brazil

The Amazonia region of Brazil has long been recognized as a great, untapped storehouse of mineral wealth, agricultural land and timber resources. It is also the home of the Indians. At the first Indian Congress of the southern hemisphere in Paraguay in 1974, the Indian people there insisted that their land was intrinsic to their way-of-life and to separate them from it “is to deny their being and destroy their life.” The land exists, they said, for the needs of the people, not for anyone else. They claimed the land as their own and explained that this ownership was communal.

Since 1964 there has been a corporate takeover of the Amazon region by transnational corporations and a huge network of roads has opened up the previously inaccessible country. In earlier booms (rubber), large-scale extermination of Indians occurred and since title to their land is not recognized by the Brazilian government, they could only flee to more remote areas. Today, this is no longer possible.

The National Foundation for the Assistance of Native People (FUNAI) has a policy of “integration” but the Indians charge that policy is “genocide.” The basic rationale behind FUNAI programmes for pacification and integration was critically discerned by the Roman Catholic Bishops and priests of the Amazon:

“...if the Indians are there but do not produce according to the dictates of integrated and dependent capitalism, if they do not have legal title to the land, if they do not own agricultural enterprises, then they must give away to the new “colonizers,” they must withdraw from the lands which “civilization” has now decided to sell or give away to those destined to develop the interior of the country.

“If the Indians — thus challenged and robbed of their theoretically recognized rights, as well as their natural way of life — die, then let them die. If they resist, they are to be opposed as though they were the invaders of their own lands.”

Of 11,000 landless people in Brazil, the approximately 250,000 Indians find themselves at the bottom of the exploited groups. Having been driven from their lands or exterminated, the remnants of once proud nations find themselves threatened on their last territory — the Amazon basin of Brazil — an area of 4,085,000 sq. km. stretching across the north and northwest half of the country.

The Indians claim the Amazonia for their own, but in the last decade or so, they have been threatened by increased resource development. The huge mineral, energy, agricultural and timber area contains the world's largest reserves of iron ore, enormous amounts of manganese. It also contains many other minerals, gem-stones, hydro-electric potential, oil and timber. A network of roads, including the Trans-Amazon Highway, is designed to end the area's inaccessibility.

Transnational corporations, functioning in response to global market systems, have secured control over much of the Amazonia, thereby gaining important access to supplies of raw materials for the world's industrial systems.

Construction projects have severely damaged hunting and fishing. An example of "freeing" land is found in the upper Amazon territory where the Governor of Roraima — an area the size of West Germany — resettled the Yanomami Nation on land they could not survive on, with the words: "I am of the opinion that an area as rich as this — with gold, diamonds and uranium — is not able to afford the luxury of conserving a half dozen Indian tribes who are holding back development."

When FUNAI was established in 1968, it had a two-fold and conflicting objective — to provide native people until they were sufficiently "integrated" into the mainstream of Brazilian society, and to serve as an agency for the Ministry of the Interior in opening the Amazonia for development. Programmes of "integration" and "pacification" of Indians were instituted. Pacification was considered crucial in order to create conditions acceptable to foreign investors while integration was designed to remove Indian people from their lands to make way for the operations of multinational enterprises. These programmes had a devastating effect on many Indian nations.

It is the emancipation decree which offers the most frightening solution for Brazil's Indian problem, according to native leaders. It will remove forever what special status Indians now enjoy. Indians, church leaders and academics have all denounced the plan as a thinly disguised legal ruse to remove the indigenous peoples from the last remaining protections of their peoplehood that they have — land.

Like the Indians and Inuit of Canada, the Aborigines of Australia and other native nations, the indigenous people of Brazil insist that they must have clear title to their traditional lands, political control over decisions taken regarding their land — including the development of its renewable and non-renewable resources — and the legal right to institutions appropriate to their culture.

Governments are faced with growing demands for justice from the indigenous peoples at the same time they are faced with pressures from transnational enterprises who perceive the indigenous peoples are mere "problems to be solved" so that plans for development of these last frontiers can proceed unhampered.

The question for Brazilian and Australian indigenous peoples, like it is elsewhere, is: what rights of self-determination, traditional culture, control of land and freedom from racism do the native people have in the face of increasing demands on them from industrial and technological societies?

Karmel Taylor McCullum is staff co-ordinator of Project North.



SELECTED RESOURCES

BOOKS

Thomas R. Berger, 1977, **Northern Frontier Northern Homeland**, Ottawa, Supply and Service Canada, Vol. I, pp. 213 (\$5.00), Vol. II, pp. 268 (\$5.00)

Hugh Brody, 1975, **The Peoples Land**, Penguin Books, pp. 240.

Robert Davis and Mark Zannis, 1973, **The Genocide Machine in Canada**, Montreal Black Rose Books, pp. 203 (\$3.95)

Milton Freeman, 1976, **Inuit Land Use and Occupancy Project**, Ottawa, Supply and Services Canada. Vol. One: **Land Use and Occupancy**, pp. 263 (\$11.00) Vol. Two: **Supporting Studies**, pp. 285, (\$12.00) Vol. Three: **Land Use Atlas**, (\$14.00)

Rene Fumoleau, 1975, **As Long As This Land Shall Last**, Toronto, McClelland and Stewart, pp. 414 (\$5.95)

Labrador Inuit Association, **Our Footprints are Everywhere**, available from Project North.

K.E. Lysyk, E.E. Bohmer and W.L. Phelps, 1977, **Alaska Highway Pipeline Inquiry**, Supply and Services Canada, pp. 178, (\$4.50)

Hugh and Karmel McCullum, 1975, **This Land Is Not For Sale**, Toronto, Anglican Book Centre, pp. 210, (\$3.95)

Hugh and Karmel McCullum and John Olthuis, 1977, **Moratorium**, Toronto, Anglican Book Centre, pp. 208, (\$4.95)

National Energy Board, 1977 **Reasons for Decision, Northern Pipeline**, Ottawa, Supply and Services Canada, 3 vols.

Northern Transitions Vol. II, Second National Workshop on People, Resources and the Environment North of 60°. Ottawa, Canadian Arctic Resources Committee, 1978.

Martin O'Malley, 1976, **The Past and Future Land**, Toronto, Peter Martin Associates Ltd., pp. 281, (\$8.95)

Boyce Richardson, 1975, **Strangers Devour the Land**, Toronto, McClelland and Stewart, pp. 542.

Melville Watkins, ed., 1977, **Dene Nation; the Colony Within**, Toronto, University of Toronto Press, pp. 189, (\$4.95)

PERIODICALS

Energy File. 105-2511 E. Hastings St., Vancouver.

Native Press. Native Communications Society, Box 1992, Yellowknife, NWT

Newsletter. Project North, 154 Glenrose Ave., Toronto.

Northern Perspectives. Canadian Arctic Resources Committee, 46 Elgin St., Rm. 11, Ottawa.

Yukon Indian News. 22 Nisutlin Drive, Whitehorse, Y.T.

BOOKLETS AND PAPERS

Inuit Tapirisat of Canada, speaking for the first citizens of the Canadian Arctic. Inuit Tapirisat of Canada, 176 Gloucester St., Ottawa.

No Last Frontier, the struggle of Canada's internal colony for self-determination. Dene Nation, Box 2338, Yellowknife.

Agreement in Principle between: the Dene Nation and Her Majesty the Queen [proposed] (1976), Dene Nation, Box 2338, Yellowknife.

Citizens Plus, the Nishga people of the Naas river in Northwestern B.C. Nishga Tribal Council, New Aiyansh, B.C.

The Dene, Land and Unity for the Native People of the Mackenzie Valley. Dene Nation, Box 2338, Yellowknife, NWT.

Dene Nation: Apartheid? Free South Africa Committee, Edmonton, Alberta, 1977. Dene Nation, Box 2338, Yellowknife.

Information Kit, proposed by the Council for Yukon Indians, 22 Nisutlin Dr., Whitehorse, Yukon.

FILMS

Dene Nation, 1979, 27 minutes, color, produced by Rene Fumoleau, Box 488, Yellowknife, NWT.

I Was Born Here, 1976, 25 minutes, color, produced by Rene Fumoleau, Box 488, Yellowknife, NWT

The Inquiry Film, 1977, 90 minutes, color, produced by Arthur Pape, Inquiry Films Ltd., 2659 Trinity St., Vancouver, B.C.

Nunatsiaq the Good Land, 1977, 13 minutes, color, produced by Crawley Films for Inuit Tapirisat of Canada.



Questions for MPs

The final authority to negotiate land claims settlements rests with Parliament. How much does your MP actually know about the issues? The upcoming federal election campaign will provide a good opportunity to approach MP's and candidates, find out their positions, and let them know your concerns. Here are some questions that could be used in meetings with MP's or candidates. Be sure to ask questions that don't allow the MP to get off lightly with a simple "yes" or "no" answer. And if an MP can't answer any question to your satisfaction, don't hesitate to let him/her know **your views**.

Suggested questions:

- 1) What is your position on native land claims? Do you support the native people in their just demand for recognition of aboriginal nationhood?
- 2) What native claims are at present outstanding in the north? How long have they been outstanding? What is the current status of negotiations?
- 3) How would you propose to deal with these unsettled claims?
- 4) What is your understanding of the James Bay and COPE settlement models? Do you agree that these should be used as a model for other native claims in the North?
- 5) Do you think that funding for native groups involved in negotiations should be tied to the government's definition of "progress?"
- 6) Do you support the right of native people to negotiate land claims settlements before major development projects proceed on their land? What is your position on the implementation of the recommendations in the Berger Report?
- 8) What do you know about large-scale development projects currently planned for the north? What areas are being developed? What areas are planned for development?
- 9) What guarantees exist for environmental protection during construction of oil and gas pipelines? for transport of oil and gas by sea? Whose responsibility is it to set environmental standards in the north?
- 10) Do you believe the federal government should provide back-stop financing for large energy projects in the north?
- 11) Do you think that native people should be included as one of the founding nations in the current constitutional debates?
- 12) What would be the *indirect* effects of building the Alaska Highway pipeline as it relates to cutbacks in health care, social services and disposable income?
- 13) How many permanent jobs would the Alaska Highway pipeline produce? If the same capital resources that would be invested in the pipeline were to be invested in the manufacturing and services industries, how many permanent jobs would be created?
- 14) Do you think that the National Energy Board should approve of additional exports of natural gas to the U.S. or should they be conserved to meet Canadian needs?



CAMPAGNE D'APPUI AUX AUTOCHTONES DU NORD

**Administration coloniale • Pipelines • Exploitation des ressources naturelles • Racisme
• Perte de droits, de culture, de territoires...**

Les peuples autochtones du Nord, Inuit de l'Arctique, Denes de la Vallée du Mackenzie, Indiens du Yukon... ainsi que leurs frères et soeurs du Sud font face à une société dominante qui s'attaque sans cesse à leurs droits aborigènes... Nouveaux aménagements constitutionnels • droit à l'autodétermination • révision de la loi sur les Indiens • nationalités autochtones...

Les peuples autochtones du Nord revendiquent la reconnaissance de leurs droits et présentent des propositions innovatrices aux gens du Sud. Les premiers occupants seront-ils enfin entendus?